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International Law
Documents
1941

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INTERNATIONAL LAW
DOCUMENTS

1941



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PREFACE

The annual publication of the Naval War College on international law for 1941 has been prepared, as formerly, since 1938, in collaboration with Payson Sibley Wild, Jr., Ph. D., professor of international law, Harvard University, and associate for international law, Naval War College.

Discussions by the Naval War College classes have given special attention to international law in its relation to the conduct of the war now in progress. Important and relevant documents concerning belligerents and neutrals also have been under consideration. Documents cited in this volume are among those discussed.

While certain of these documents are easily accessible, others have not yet appeared in any collection and are not readily available to naval officers.

E. C. KALBFUS,
Admiral, United States Navy (Ret.),
President, Naval War College.

SEPTEMBER 22, 1942.

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I. FREEZING OF JAPANESE AND CHINESE ASSETS IN THE UNITED STATES

In view of the unlimited national emergency declared by the President, he issued, on July 25, 1941 an Executive order freezing Japanese assets in the United States in the same manner in which assets of various European countries were frozen on June 14, 1941. This measure, in effect, brought all financial and import and export trade transactions in which Japanese interests were involved under the control of the Government and imposed criminal penalties for violation of the order.

This Executive order, just as the order of June 14, 1941, was designed among other things to prevent the use of the financial facilities of the United States and trade between Japan and the United States in ways harmful to national defense and American interests, to prevent the liquidation in the United States of assets obtained by duress or conquest, and to curb subversive activities in the United States.

At the specific request of Generalissimo Chiang Kai-shek, and for the purpose of helping the Chinese Government, the President, at the same time, extended the freezing control to Chinese assets in the United States. The administration of the licensing system with respect to Chinese assets are conducted with a view to strengthening the foreign trade and exchange position of the Chinese Government. The inclusion of China in the Executive order, in accordance with the wishes of

the Chinese Government, is a continuation of this Government's policy of assisting China.

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER No. 8389 OF APRIL 10, 1940, AS AMENDED

(Federal Register, Vol. 6, No. 146, July 29, 1941)

By virtue of the authority vested in me by section 5 (b) of the Act of October 6, 1917 (40 Stat. 415), as amended, and by virtue of all other authority vested in me, I, FRANKLIN D. ROOSEVELT, PRESIDENT OF THE UNITED STATES OF AMERICA, do hereby amend Executive Order No. 8389 of April 10, 1940, as amended, by changing the period at the end of subdivision (j) of Section 3 of such Order to a semi-colon and adding the following new subdivision thereafter:

(k) June 14, 1941—

China, and
Japan

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
July 26, 1941.

[No. 8832]

II. OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS

EXECUTIVE ORDER

ESTABLISHING THE OFFICE OF THE COORDINATOR OF
INTER-AMERICAN AFFAIRS IN THE EXECUTIVE OFFICE
OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND
DUTIES

(Federal Register, Vol. 6, No. 147, Aug. 5, 1941)

By virtue of the authority vested in me by the Constitution and statutes of the United States, and

in order to define further the functions and duties of the Office for Emergency Management with respect to the unlimited national emergency declared by the President on May 27, 1941, and to provide for the development of commercial and cultural relations between the American Republics and thereby increasing the solidarity of this Hemisphere and furthering the spirit of cooperation between the Americas in the interest of Hemisphere defense, it is hereby ordered as follows:

1. There is established within the Office for Emergency Management of the Executive Office of the President the Office of the Coordinator of Inter-American Affairs, at the head of which there shall be a Coordinator appointed by the President. The Coordinator shall discharge and perform his duties and responsibilities under the direction and supervision of the President. The Coordinator shall serve as such without compensation, but shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties.

2. Subject to such policies, regulations, and directions as the President may from time to time prescribe, the Office of the Coordinator of Inter-American Affairs shall:

- a. Serve as the center for the coordination of the cultural and commercial relations of the Nation affecting Hemisphere defense.

- b. Formulate and execute programs, in cooperation with the Department of State which, by effective use of governmental and private facilities in such fields as the arts and sciences, education and travel, the radio, the press, and the cinema, will

further the national defense and strengthen the bonds between the nations of the Western Hemisphere.

c. Formulate, recommend, and execute programs in the commercial and economic fields which, by the effective use of governmental and private facilities, will further the commercial well-being of the Western Hemisphere.

d. Assist in the coordination and carrying out of the purposes of Public Resolution No. 83 approved June 15, 1941, entitled "To authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes."

e. Review existing laws and recommend such new legislation as may be deemed essential to the effective realization of the basic cultural and commercial objectives of the Government's program of Hemisphere solidarity.

f. Exercise and perform all powers and functions now or heretofore vested in the Office for Coordination of Commercial and Cultural Relations Between the American Republics, established by order of the Council of National Defense on August 16, 1940.

g. Keep the President informed with respect to progress made in carrying out this Order; and perform such other related duties as the President may from time to time assign or delegate to it.

3. In the study of problems and in the execution of programs, it shall be the policy of the Office of the Coordinator of Inter-American Affairs to collaborate with and to utilize the facilities of

existing departments and agencies which perform functions and activities affecting the cultural and commercial aspects of Hemisphere defense. Such departments and agencies are requested to cooperate with the Coordinator in arranging for appropriate clearance of proposed policies and measures involving the commercial and cultural aspects of Inter-American affairs.

4. Within the limits of funds appropriated or allocated for purposes encompassed by this Order, the Coordinator may contract with and transfer funds to existing governmental agencies and institutions and may enter into contracts and agreements with individuals, educational, informational, commercial, scientific, and cultural institutions, associations, agencies, and industrial organizations, firms, and corporations.

5. The Coordinator is authorized and directed to take over and carry out the provisions of any contracts heretofore entered into by the Office for Coordination of Commercial and Cultural Relations Between the American Republics, established by order of the Council of National Defense on August 16, 1940. The Coordinator is further authorized to assume any obligations or responsibilities which have heretofore been undertaken by the said Office for and on behalf of the United States Government.

6. There is hereby established within the Office of the Coordinator of Inter-American Affairs a Committee on Inter-American Affairs, consisting of the Coordinator as Chairman, one designee each from the Departments of State, Treasury, Agriculture, and Commerce, the President of the

Export-Import Bank and such additional representatives from other agencies and departments as may be designated by the heads of such departments or agencies at the request of the Coordinator of Inter-American Affairs. The Committee shall consider and correlate proposals with respect to the commercial, cultural, educational, and scientific aspects of Hemisphere defense relations, and shall make recommendations to the appropriate Government departments and agencies.

7. The Coordinator may provide for the internal organization and management of the Office of the Coordinator of Inter-American Affairs. The Coordinator shall obtain the President's approval for the establishment of the principal subdivisions of the Office and the appointment of the heads thereof. The Coordinator may appoint such committees as may be required for the conduct of the activities of his office.

8. Within the limits of such funds as may be appropriated to the Coordinator or as may be allocated to him by the President, the Coordinator may employ necessary personnel and make provisions for necessary supplies, facilities, and services. However, the Coordinator shall use such statistical, informational, fiscal, personnel, and other general business services and facilities as may be made available to him through the Office for Emergency Management.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

July 30, 1941.

[No. 8840]

III. THE ATLANTIC CHARTER

(Dept. of State Bulletin, Vol. V, No. 112, Aug. 16, 1941)

The following statement was signed by the President of the United States and the Prime Minister of Great Britain:

"The President of the United States and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, have met at sea.

"They have been accompanied by officials of their two Governments, including high-ranking officers of their Military, Naval, and Air Services.

"The whole problem of the supply of munitions of war, as provided by the Lease-Lend Act, for the armed forces of the United States and for those countries actively engaged in resisting aggression has been further examined.

"Lord Beaverbrook, the Minister of Supply of the British Government, has joined in these conferences. He is going to proceed to Washington to discuss further details with appropriate officials of the United States Government. These conferences will also cover the supply problems of the Soviet Union.

"The President and the Prime Minister have had several conferences. They have considered the dangers to world civilization arising from the policies of military domination by conquest upon which the Hitlerite government of Germany and other governments associated therewith have embarked, and have made clear the stress which their countries are respectively taking for their safety in the face of these dangers.

"They have agreed upon the following joint declaration:

"Joint declaration of the President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their re-

spective countries on which they base their hopes for a better future for the world.

"First, their countries seek no aggrandizement, territorial or other;

"Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

"Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

"Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

"Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement, and social security;

"Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

"Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

"Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and

encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

FRANKLIN D. ROOSEVELT
WINSTON S. CHURCHILL"

IV. ASSISTANCE TO THE SOVIET UNION

JOINT MESSAGE FROM THE PRESIDENT OF THE UNITED STATES AND THE PRIME MINISTER OF GREAT BRITAIN TO THE PRESIDENT OF THE SOVIET OF PEOPLE'S COMMISSARS OF THE U. S. S. R.

(Dept. of State Bulletin, Vol. V, No. 112, Aug. 16, 1941)

The following text of a joint message from President Roosevelt and Prime Minister Churchill was delivered personally on Friday afternoon, August 15, by the British and American Ambassadors to Josef Stalin, President of the Soviet of People's Commissars of the U. S. S. R.:

"We have taken the opportunity afforded by the consideration of the report of Mr. Harry Hopkins on his return from Moscow to consult together as to how best our two countries can help your country in the splendid defense that you are making against the Nazi attack. We are at the moment cooperating to provide you with the very maximum of supplies that you most urgently need. Already many shiploads have left our shores and more will leave in the immediate future.

"We must now turn our minds to the consideration of a more long term policy, since there is still a long and hard path to be traversed before there can be won that complete victory without which our efforts and sacrifices would be wasted.

"The war goes on upon many fronts and before it is over there may be further fighting fronts that will be developed. Our resources though immense are limited, and it must be-

come a question as to where and when those resources can best be used to further the greatest extent our common effort. This applies equally to manufactured war supplies and to raw materials.

“The needs and demands of your and our armed services can only be determined in the light of the full knowledge of the many factors which must be taken into consideration in the decisions that we make. In order that all of us may be in a position to arrive at speedy decisions as to the apportionment of our joint resources, we suggest that we prepare for a meeting to be held at Moscow, to which we would send high representatives who could discuss these matters directly with you. If this conference appeals to you, we want you to know that pending the decisions of that conference we shall continue to send supplies and material as rapidly as possible.

“We realize fully how vitally important to the defeat of Hitlerism is the brave and steadfast resistance of the Soviet Union and we feel therefore that we must not in any circumstances fail to act quickly and immediately in this matter on planning the program for the future allocation of our joint resources.

“FRANKLIN D ROOSEVELT

“WINSTON S CHURCHILL”

V. USE OF FOREIGN-FLAG MERCHANT VESSELS IN AMERICAN PORTS

(Dept. of State Bulletin, Vol. V, No. 114, Aug. 30, 1941)

The Inter-American Financial and Economic Advisory Committee announced on August 28 that in its plenary session of that date, it had formally adopted and placed into effect, with the approval of the governments of all of the American republics, a plan for the effective use in the interests of inter-American commerce of the foreign-flag merchant vessels lying inactive in the ports of the American Continent. The text of the plan is as follows:

PLANS FOR PLACING SHIPS IN AMERICAN PORTS INTO
SERVICE

(1) The basic principle of the plan is that the vessels now lying in American ports shall be utilized in accordance with the resolution of April 26, 1941 in such a manner as to promote the defense of the economies of the American republics as well as the peace and security of the continent.

(2) To this end there should be an immediate transfer of such vessels to active service. Just and adequate compensation for such vessels shall be made.

(3) In order to attain the maximum efficiency in the operation of available shipping, there must be the closest cooperation among the maritime authorities of the ship-operating nations of the Western Hemisphere in planning the most effective use of all available vessels. This cooperation must extend to the allocation of particular vessels to the several trade routes; to efficient scheduling where more than one shipping line serves an individual port or nation; to the diversion of at least minimum shipping facilities to those nations not reasonably adequately served and in which there lie no or not sufficient inactive vessels to alleviate at least partially the situation; and to the exchange or interchange among the ship-operating nations of vessels of various types in order that each may operate the type of vessels which it is in a position to handle and which are appropriate to the type of commerce to be borne.

(4) It is recognized that several of the American nations operate merchant marines and are in a posi-

tion to handle efficiently the operation of some or all of the inactive vessels lying in their ports. Other American republics may not have the appropriate organization to operate ships or may not desire to undertake to do so. In such cases, the Government of the United States and United States shipping companies are prepared, in the closest co-operation and coordination with services provided by other ship-operating nations of the Western Hemisphere, to operate for their account or in any other appropriate way those vessels other American republics do not operate themselves. The Government of the United States is also prepared to make appropriate arrangements to take over and operate any such vessels in general services.

(5) The Government of the United States has been informed that the British Government agrees to recognize the transfers of vessels resulting from this plan of operation and to waive its belligerent rights so long as the following conditions are met:

(a) The vessels transferred are operated in accordance with this plan.

(b) The vessels are operated under the flag of any American republic in inter-American trade, or by the Government of the United States in general services in accordance with paragraph (4).

(c) Such service of the vessels now inactive shall not result in the diversion of any other vessels owned or controlled by Governments or nationals of an American republic to services inimical to the interests of Great Britain.

(d) Any funds or proceeds from such vessels shall not be made available to the governments or

nationals of the countries whose flags they flew until the present war is terminated.

(e) Crews of the vessels shall be nationals of the countries whose flag the vessels fly or shall be comprised of officers and personnel satisfactory to the Inter-American Financial and Economic Advisory Committee.

(6) The Government of the United States is prepared to render through the Maritime Commission every possible technical assistance and cooperation to the Governments of the other American republics.

The Committee is continuing to study details incident to the actual placing of the vessels into service and is especially considering proposals of the British Government for the implementation of paragraph 5 of the plan.

VI. FREEDOM OF THE SEAS

ADDRESS BY THE PRESIDENT, SEPT. 11, 1941

(Dept. of State Bulletin, Vol. V, No. 116, Sept. 13, 1941)

MY FELLOW AMERICANS:

The Navy Department of the United States has reported to me that on the morning of September fourth the United States destroyer *Greer*, proceeding in full daylight towards Iceland, had reached a point southeast of Greenland. She was carrying American mail to Iceland. She was flying the American flag. Her identity as an American ship was unmistakable.

She was then and there attacked by a submarine. Germany admits that it was a German

submarine. The submarine deliberately fired a torpedo at the *Greer*, followed later by another torpedo attack. In spite of what Hitler's propaganda bureau has invented, and in spite of what any American obstructionist organization may prefer to believe, I tell you the blunt fact that the German submarine fired first upon this American destroyer without warning, and with deliberate design to sink her.

Our destroyer, at the time, was in waters which the Government of the United States had declared to be waters of self-defense—surrounding outposts of American protection in the Atlantic.

In the north, outposts have been established by us in Iceland, Greenland, Labrador, and Newfoundland. Through these waters there pass many ships of many flags. They bear food and other supplies to civilians; and they bear matériel of war, for which the people of the United States are spending billions of dollars, and which, by congressional action, they have declared to be essential for the defense of their own land.

The United States destroyer, when attacked, was proceeding on a legitimate mission.

If the destroyer was visible to the submarine when the torpedo was fired, then the attack was a deliberate attempt by the Nazis to sink a clearly identified American warship. On the other hand, if the submarine was beneath the surface and, with the aid of its listening devices, fired in the direction of the sound of the American destroyer without even taking the trouble to learn its identity—as the official German communiqué would indicate—then the attack was even more out-

rageous. For it indicates a policy of indiscriminate violence against any vessel sailing the seas—belligerent or nonbelligerent.

This was piracy—legally and morally. It was not the first nor the last act of piracy which the Nazi Government has committed against the American flag in this war. Attack has followed attack.

A few months ago an American-flag merchant ship, the *Robin Moor*, was sunk by a Nazi submarine in the middle of the South Atlantic, under circumstances violating long-established international law and every principle of humanity. The passengers and the crew were forced into open boats hundreds of miles from land, in direct violation of international agreements signed by the Government of Germany. No apology, no allegation of mistake, no offer of reparations has come from the Nazi Government.

In July 1941, an American battleship in North American waters was followed by a submarine which for a long time sought to maneuver itself into a position of attack upon the battleship. The periscope of the submarine was clearly seen. No British or American submarines were within hundreds of miles of this spot at the time, so the nationality of the submarine is clear.

Five days ago a United States Navy ship on patrol picked up three survivors of an American-owned ship operating under the flag of our sister republic of Panama, the *S. S. Sessa*.

On August 17 she had been first torpedoed without warning, and then shelled, near Greenland, while carrying civilian supplies to Iceland. It is

feared that the other members of her crew have been drowned. In view of the established presence of German submarines in this vicinity, there can be no reasonable doubt as to the identity of the flag of the attacker.

Five days ago another United States merchant ship, the *Steel Seafarer*, was sunk by a German aircraft in the Red Sea 220 miles south of Suez. She was bound for an Egyptian port.

So four of the vessels sunk or attacked flew the American flag and were clearly identifiable. Two of these ships were warships of the American Navy. In the fifth case the vessel sunk clearly carried the flag of our sister republic of Panama.

In the face of all this we Americans are keeping our feet on the ground. Our type of democratic civilization has outgrown the thought of feeling compelled to fight some other nation by reason of any single piratical attack on one of our ships. We are not becoming hysterical or losing our sense of proportion. Therefore, what I am thinking and saying tonight does not relate to any isolated episode.

Instead, we Americans are taking a long-range point of view in regard to certain fundamentals, a point of view in regard to a series of events on land and on sea which must be considered as a whole, as a part of a world pattern.

It would be unworthy of a great nation to exaggerate an isolated incident, or to become inflamed by some one act of violence. But it would be inexcusable folly to minimize such incidents in the face of evidence which makes it clear that the incident is not isolated, but part of a general plan.

The important truth is that these acts of international lawlessness are a manifestation of a design, a design that has been made clear to the American people for a long time. It is the Nazi design to abolish the freedom of the seas and to acquire absolute control and domination of these seas for themselves.

For with control of the seas in their own hands, the way can become obviously clear for their next step, domination of the United States, domination of the Western Hemisphere by force of arms. Under Nazi control of the seas no merchant ship of the United States or of any other American republic would be free to carry on any peaceful commerce, except by the condescending grace of this foreign and tyrannical power.

The Atlantic Ocean, which has been and which should always be a free and friendly highway for us, would then become a deadly menace to the commerce of the United States, to the coasts of the United States, and even to the inland cities of the United States.

The Hitler government, in defiance of the laws of the sea, in defiance of the recognized rights of all other nations, has presumed to declare, on paper, that great areas of the seas, even including a vast expanse lying in the Western Hemisphere, are to be closed and that no ships may enter them for any purpose, except at peril of being sunk. Actually they are sinking ships at will and without warning in widely separated areas both within and far outside of these far-flung pretended zones.

This Nazi attempt to seize control of the oceans is but a counterpart of the Nazi plots now being

carried on throughout the Western Hemisphere, all designed toward the same end. For Hitler's advance guards, not only his avowed agents but also his dupes among us, have sought to make ready for him footholds and bridgeheads in the New World, to be used as soon as he has gained control of the oceans.

His intrigues, his plots, his machinations, his sabotage in this New World are all known to the Government of the United States. Conspiracy has followed conspiracy.

Last year a plot to seize the Government of Uruguay was smashed by the prompt action of that country, which was supported in full by her American neighbors. A like plot was then hatching in Argentina, and that Government has carefully and wisely blocked it at every point. More recently, an endeavor was made to subvert the Government of Bolivia. Within the past few weeks the discovery was made of secret air-landing fields in Colombia, within easy range of the Panama Canal. I could multiply instances.

To be ultimately successful in world-mastery, Hitler knows that he must get control of the seas. He must first destroy the bridge of ships which we are building across the Atlantic, over which we shall continue to roll the implements of war to help destroy him and all his works in the end. He must wipe out our patrol on sea and in the air. He must silence the British Navy.

It must be explained again and again to people who like to think of the United States Navy as an invincible protection, that this can be true only if the British Navy survives. That is simple arithmetic.

For if the world outside the Americas falls under Axis domination, the shipbuilding facilities which the Axis powers would then possess in all of Europe, in the British Isles, and in the Far East would be much greater than all the shipbuilding facilities and potentialities of all the Americas—not only greater but two or three times greater. Even if the United States threw all its resources into such a situation, seeking to double and even redouble the size of our Navy, the Axis powers, in control of the rest of the world, would have the man-power and the physical resources to outbuild us several times over.

It is time for all Americans of all the Americas to stop being deluded by the romantic notion that the Americas can go on living happily and peacefully in a Nazi-dominated world.

Generation after generation, America has battled for the general policy of the freedom of the seas. That policy is a very simple one—but a basic, fundamental one. It means that no nation has the right to make the broad oceans of the world, at great distances from the actual theater of land war, unsafe for the commerce of others.

That has been our policy, proved time and time again, in all our history.

Our policy has applied from time immemorial—and still applies—not merely to the Atlantic but to the Pacific and to all other oceans as well.

Unrestricted submarine warfare in 1941 constitutes a defiance—an act of aggression—against that historic American policy.

It is now clear that Hitler has begun his campaign to control the seas by ruthless force and by

wiping out every vestige of international law and humanity.

His intention has been made clear. The American people can have no further illusions about it.

No tender whisperings of appeasers that Hitler is not interested in the Western Hemisphere, no soporific lullabies that a wide ocean protects us from him can long have any effect on the hard-headed, far-sighted, and realistic American people.

Because of these episodes, because of the movements and operations of German warships, and because of the clear, repeated proof that the present Government of Germany has no respect for treaties or for international law, that it has no decent attitude toward neutral nations or human life—we Americans are now face to face not with abstract theories but with cruel, relentless facts.

This attack on the *Greer* was no localized military operation in the North Atlantic. This was no mere episode in a struggle between two nations. This was one determined step towards creating a permanent world system based on force, terror, and murder.

And I am sure that even now the Nazis are waiting to see whether the United States will by silence give them the green light to go ahead on this path of destruction.

The Nazi danger to our Western World has long ceased to be a mere possibility. The danger is here now—not only from a military enemy but from an enemy of all law, all liberty, all morality, all religion.

There has now come a time when you and I must see the cold inexorable necessity of saying to these inhuman, unrestrained seekers of world conquest and permanent world domination by the sword: "You seek to throw our children and our children's children into your form of terrorism and slavery. You have now attacked our own safety. You shall go no further."

Normal practices of diplomacy—note writing—are of no possible use in dealing with international outlaws who sink our ships and kill our citizens.

One peaceful nation after another has met disaster because each refused to look the Nazi danger squarely in the eye, until it actually had them by the throat.

The United States will not make that fatal mistake.

No act of violence, no act of intimidation will keep us from maintaining intact two bulwarks of defense: First, our line of supply of matériel to the enemies of Hitler, and second, the freedom of our shipping on the high seas.

No matter what it takes, no matter what it costs, we will keep open the line of legitimate commerce in these defensive waters of ours.

We have sought no shooting war with Hitler. We do not seek it now. But neither do we want peace so much that we are willing to pay for it by permitting him to attack our naval and merchant ships while they are on legitimate business.

I assume that the German leaders are not deeply concerned tonight, or any other time, by what the

real Americans or the American government says or publishes about them. We cannot bring about the downfall of nazism by the use of long-range invective.

But when you see a rattlesnake poised to strike, you do not wait until he has struck before you crush him.

These Nazi submarines and raiders are the rattlesnakes of the Atlantic. They are a menace to the free pathways of the high seas. They are a challenge to our own sovereignty. They hammer at our most precious rights when they attack ships of the American flag—symbols of our independence, our freedom, our very life.

It is clear to all Americans that the time has come when the Americas themselves must now be defended. A continuation of attacks in our own waters, or in waters which could be used for further and greater attacks on us, will inevitably weaken American ability to repel Hitlerism.

Do not let us be hair-splitters. Let us not ask ourselves whether the Americas should begin to defend themselves after the first attack, or the fifth attack, or the tenth attack, or the twentieth attack.

The time for active defense is now.

Do not let us split hairs. Let us not say, "We will only defend ourselves if the torpedo succeeds in getting home, or if the crew and the passengers are drowned."

This is the time for prevention of attack.

If submarines or raiders attack in distant waters, they can attack equally well within sight of our own shores. Their very presence in any

waters which America deems vital to its defense constitutes an attack.

In the waters which we deem necessary for our defense American naval vessels and American planes will no longer wait until Axis submarines lurking under the water, or Axis raiders on the surface of the sea, strike their deadly blow—first.

Upon our naval and air patrol—now operating in large number over a vast expanse of the Atlantic Ocean—falls the duty of maintaining the American policy of freedom of the seas—now. That means, very simply, very clearly, that our patrolling vessels and planes will protect all merchant ships—not only American ships but ships of any flag—engaged in commerce in our defensive waters. They will protect them from submarines; they will protect them from surface raiders.

This situation is not new. The second President of the United States, John Adams, ordered the United States Navy to clean out European privateers and European ships of war which were infesting the Caribbean and South American waters, destroying American commerce.

The third President of the United States, Thomas Jefferson, ordered the United States Navy to end the attacks being made upon American and other ships by the corsairs of the nations of North Africa.

My obligation as President is historic; it is clear; yes, it is inescapable.

It is no act of war on our part when we decide to protect the seas that are vital to American defense. The aggression is not ours. Ours is solely defense.

But let this warning be clear. From now on, if German or Italian vessels of war enter the waters the protection of which is necessary for American defense, they do so at their own peril.

The orders which I have given as Commander in Chief of the United States Army and Navy are to carry out that policy—at once.

The sole responsibility rests upon Germany. There will be no shooting unless Germany continues to seek it.

That is my obvious duty in this crisis. That is the clear right of this sovereign nation. This is the only step possible, if we would keep tight the wall of defense which we are pledged to maintain around this Western Hemisphere.

I have no illusions about the gravity of this step. I have not taken it hurriedly or lightly. It is the result of months and months of constant thought and anxiety and prayer. In the protection of your nation and mine it cannot be avoided.

The American people have faced other grave crises in their history—with American courage, with American resolution. They will do no less today.

They know the actualities of the attacks upon us. They know the necessities of a bold defense against these attacks. They know that the times call for clear heads and fearless hearts.

And with that inner strength that comes to a free people conscious of their duty and of the righteousness of what they do, they will—with Divine help and guidance—stand their ground against this latest assault upon their democracy, their sovereignty, and their freedom.

VII. DEFINITION OF TERM "UNITED KINGDOM"

(Dept. of State Bulletin, Vol. V, No. 117, Sept. 20, 1941)

The President's proclamation of November 4, 1939, issued under section 1 (a) of the Neutrality Act of 1939, proclaimed the existence of a state of war "... between Germany and France; Poland; and the United Kingdom, India, Australia, Canada, New Zealand and the Union of South Africa . . ."

On August 27, 1941 the Secretary of State requested from the Acting Attorney General a formal opinion as to whether the term "United Kingdom" as used in the proclamation might properly be construed as including only England, Wales, Scotland, and Northern Ireland, and as not including the overseas territories and possessions of Great Britain not expressly enumerated in the proclamation. The Acting Attorney General concluded that that term is properly to be construed as including only England, Wales, Scotland, and Northern Ireland and not the overseas territories and possessions of Great Britain not thus expressly enumerated.

The restrictions of section 2 (a) of the Neutrality Act of 1939 apply only to the carriage of passengers, articles, or materials to states named in proclamations issued under section 1 (a) of the Act. Accordingly, transportation of passengers and any articles or materials including arms, ammunition, or implements of war to the overseas colonies and possessions of Great Britain which are not in a combat area and which are not specifically enumerated in the proclamation of November 4,

1939 is not prohibited by the Neutrality Act of 1939.

The text of the Acting Attorney General's opinion follows:

"OFFICE OF THE ATTORNEY GENERAL,
"Washington, D. C., August 29, 1941.

"The Honorable

"The Secretary of State.

"MY DEAR MR. SECRETARY:

"I have your letter of August 27 requesting my opinion whether the term 'United Kingdom,' as used in the President's proclamation of November 4, 1939 (4 F. R. 4493), issued under the Neutrality Act of 1939, may be construed as 'including only England, Wales, Scotland and Northern Ireland and as not including the overseas territories and possessions of the British Empire'.

"The proclamation reads in pertinent part as follows:

"'Now, Therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution, do hereby proclaim that a state of war unhappily exists between Germany and France; Poland; and the United Kingdom, India, Australia, Canada, New Zealand and the Union of South Africa, and that it is necessary to promote the security and preserve the peace of the United States and to protect the lives of citizens of the United States.'

"The generally accepted meaning of 'United Kingdom' is reflected in the definition set forth in Webster's *New International Dictionary of the English Language*, Second Edition, 1939. Here the term is defined as follows:

"'*United Kingdom, the.* Great Britain and Ireland;—so called from January 1, 1801, when the Legislative Union went into operation, to 1922 when, after the establishment of the Irish Free State, the remaining portion was officially called the United Kingdom of Great Britain and Northern Ireland. By act of Parliament, 1927, the words "United Kingdom" were omitted from the title of the king.'

“This definition is entirely consistent with well-established English usage. Thus, in Professor Dicey’s work on *Conflict of Laws* (Second Edition, 1908) ‘United Kingdom’ is defined as follows (at p. 68) :

““United Kingdom” means the United Kingdom of England, Scotland, and Ireland, and the islands adjacent thereto, but does not include either the Isle of Man or the Channel Islands.’

See also Keith, *The Governments of the British Empire* (1935) p. 20.

“The origin of the English usage was the Union of Ireland Act, which provided that ‘the said Kingdoms of *Great Britain* and *Ireland* shall . . . be united into one Kingdom by the name of *The United Kingdom of Great Britain and Ireland*’; 39 & 40 G. 3, c. 67 (1800). The same meaning was also given to the term under discussion in the Interpretation Act of 1889, 52 & 53 V. c. 63, s. 18, which provided as follows:

“‘In this act, and in every act passed after the commencement of this act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely—

“(1) The expression “British Isles” shall mean the United Kingdom, the Channel Islands and the Isle of Man.”

“Although the foregoing provision does not directly define ‘United Kingdom,’ it points irresistibly to the conclusion that ‘United Kingdom’ is limited to the British Isles and does not include the overseas possessions, or dependencies, or mandates of the British Empire. This is true because that provision makes ‘British Isles,’ which clearly does not include overseas possessions or dependencies, more extensive than ‘United Kingdom.’ The definition in the Interpretation Act reflected a well-established usage which had been embodied in specific definitions of the term ‘United Kingdom’ in previous statutes, such as An Act to Consolidate and Amend the Laws relating to Bankruptcy and Insolvency in Ireland (1857) 20 & 21 V. c. 60 s. 4; An Act to Alter Certain Duties and to Amend the Laws relating to Customs (1867), 30 & 31 V. c. 82 s. 5; An Act for Improving the

Condition of Mates and Seamen and Maintaining Discipline in the Merchant Service (1850) 13 and 14 V. c. 93, s. 2.

"The separation of Northern and Southern Ireland by the Government of Ireland Act of 1920, and the creation of the Irish Free State by the Irish Free State (Agreement) Act, 1922, 12 G. 5, c. 4, required, of course, a change in the definition of the term 'United Kingdom.' Accordingly, statutes passed shortly after these acts contained the following specific definition:

"'United Kingdom' means Great Britain and Northern Ireland.'

See e. g., Settled Land Act, 1925, 15 G. 5, c. 18, s. 117; Trustees Act, 1925, 15 G. 5, c. 19, s. 68; Law of Property Act, 1925, 15 G. 5, c. 20, s. 205; Land Registration Act, 1925, 15 G. 5, c. 21, s. 3; Merchant Shipping Act, 1925, 15 & 16 G. 5, c. 37, s. 3; Teachers Act, 1925, 15 & 16 G. 5, c. 59, s. 18; Workmen's Compensation Act, 1925, 15 & 16 G. 5, c. 84, s. 48; Merchandise Marks Act, 1926, 16 & 17 G. 5, c. 53, s. 10.

"In 1927, a new interpretation statute, Royal Parliamentary Titles Act, 17 G. 5, c. 4, was passed to reflect the change in political structure and provided in section 2, as follows:

"'In every act passed and public documents issued after the passage of this act the expression "United Kingdom" shall, unless the context otherwise requires, mean Great Britain and Northern Ireland.'

"The applicable court decisions show a uniform judicial interpretation of the term 'United Kingdom' in complete harmony with the legislative definitions set forth above. See e. g., *Turnbull v. Solicitor of Inland Revenue*, 42 Sc. L. R. 15 (1904); *DeBeers Consolidated Mine Ltd. v. Howe*, (1906) A. C. 455; *Tomalin v. S. Pearson & Son Ltd.*, (1909) 2 K. B. 61.

"The foregoing discussion demonstrates that the term 'United Kingdom' is a term of art with a well-settled and precise meaning. No contrary purpose appearing, well-settled canons of construction require that the term as used in the proclamation should be given this meaning.

"For the reasons given it is my opinion that the term 'United Kingdom' as used in the proclamation of November 4, 1939, is properly to be construed as including only

England, Wales, Scotland and Northern Ireland and not the overseas territories and possessions of the British Empire.

“Respectfully,

“FRANCIS BIDDLE
Acting Attorney General”

VIII. ASSISTANCE TO THE SOVIET UNION

LETTER FROM THE PRESIDENT OF THE UNITED STATES TO THE PRESIDENT OF THE SOVIET OF PEOPLE'S COMMISSARS OF THE U. S. S. R.

(Dept. of State Bulletin, Vol. V, No. 120, Oct. 11, 1941)

Careful comparison of the language of the German announcement made in Berlin on October 8, 1941, by DNB, official German news agency, and that actually contained in the President's letter of introduction of Mr. Harriman to Mr. Stalin, is invited. When such a comparison is made, the propaganda objectives of the Nazi action become very clear.

The President's letter reads as follows:

“MY DEAR MR. STALIN:

“This note will be presented to you by my friend Averell Harriman, whom I have asked to be head of our delegation to Moscow.

“Mr. Harriman is well aware of the strategic importance of your front and will, I know, do everything that he can to bring the negotiations in Moscow to a successful conclusion.

“Harry Hopkins has told me in great detail of his encouraging and satisfactory visits with you. I can't tell you how thrilled all of us are because of the gallant defense of the Soviet armies.

“I am confident that ways will be found to provide the material and supplies necessary to fight Hitler on all fronts, including your own.

"I want particularly to take this occasion to express my great confidence that your armies will ultimately prevail over Hitler and to assure you of our great determination to be of every possible material assistance.

"Yours very sincerely,

FRANKLIN D. ROOSEVELT"

IX. ARMING OF AMERICAN-FLAG SHIPS

STATEMENT BY THE SECRETARY OF STATE

DELIVERED BEFORE THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES DURING HEARINGS ON H. J. RES. 237

(Dept. of State Bulletin, Vol. V, No. 121, Oct. 18, 1941)

The purpose of this bill is to repeal section 6 of the Neutrality Act of 1939 prohibiting the arming of our merchant vessels engaged in foreign commerce. The provisions of this section had their origin in section 10 of the act of 1937, which had made it unlawful for American vessels engaged in commerce with a "belligerent" state to be armed. The act of 1939 broadened that provision by making it unlawful for an American vessel engaged in commerce "with any foreign state" to be armed. This makes it impossible for American merchant vessels to defend themselves on the high seas against danger from lawless forces seeking world-domination.

The neutrality acts did not remotely contemplate limiting the steps to be taken by this country in self-defense, especially were there to develop situations of serious and immediate danger to the United States and to this hemisphere. There was never any thought or intention to aban-

don to the slightest extent the full right of our necessary self-defense.

At the time when these acts were passed many people believed that reliance could be placed on established rules of warfare. One of those rules was and is that merchant vessels, while subject to the belligerent right of visit and search, should not be sunk except under certain specified conditions and limitations. We remembered then, as we do now, what had happened during the ruthless submarine warfare of the World War. We attached importance, however, to the fact that during the years that followed the World War an effort was made to reduce to binding conventional form certain rules theretofore understood to be binding on belligerents. In the London Naval Treaty of 1930, provisions were incorporated in part IV stating that the following were accepted as established rules of international law:

“(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

“(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.”

The action taken was the outgrowth of steps initiated at the Conference on the Limitation of Arma-

ment held in Washington in 1921-22. In 1936 the above-quoted rules were incorporated in a protocol concluded at London, which was signed or adhered to by 47 nations, including the United States, Great Britain, France, Germany, and Italy.

Despite this solemn commitment of the powers as to the rules which should govern submarines, the German Government is today, and has been throughout the course of the present war, sinking defenseless merchant vessels, including vessels of the United States and of other American republics, either without warning or without allowing the passengers and crews a reasonable chance for their lives. We are, therefore, confronted with a situation where a gigantic military machine has been thrown against peaceful peoples on land and on sea in a manner unprecedented in the annals of history. Submarines, armed raiders, and high-powered bombing planes are inflicting death and destruction in a manner which would put to shame the most ruthless pirates of earlier days.

The provisions of section 6 of the Neutrality Act are not called for under international law. They were adopted by our own choice. They now serve no useful purpose. On the contrary, they are a handicap. They render our merchant vessels defenseless and make them easier prey for twentieth-century pirates.

It is our right to arm our vessels for purposes of defense. That cannot be questioned. We have, since the beginning of our independent existence, exercised this right of arming our merchant vessels whenever, for the purpose of protection, we

have needed to do so. For example, in 1798, when depredations on our commerce were being committed by vessels sailing under authority of the French Republic, the Congress, after the expulsion of the French Consuls from the United States, passed, upon recommendation of President Adams, an act permitting the arming of our merchant vessels for the purpose of defense against capture as well as to "subdue and capture" any armed vessel of France. The courts of France then held that the arming of American vessels for these purposes did not render such vessels liable to condemnation when captured by French men-of-war.

In addition to what I have just said it is well known that since section 6 of the Neutrality Act was adopted entirely new conditions have developed. Section 6 must, therefore, be reconsidered in the light of these new conditions and in the light of later legislation and executive responsibilities thereunder. The new conditions have been produced by the Hitler movement of world invasion. Hitler is endeavoring to conquer the European and African and other Continents, and he therefore is desperately seeking to control the high seas. To this end he has projected his forces far out into the Atlantic with a policy of submarine lawlessness and terror. This broad movement of conquest, world-wide in its objectives, places squarely before the United States the urgent and most important question of self-defense. We cannot turn and walk away from the steadily spreading danger. Both the Congress and the Executive have recognized this change in the sit-

uation. The Congress has enacted and the Executive is carrying out a policy of aiding Great Britain and other nations whose resistance to aggression stands as the one great barrier between the aggressors and the hemisphere whose security is our security.

The theory of the neutrality legislation was that by acting within the limitations which it prescribed we could keep away from danger. But danger has come to us—has been thrust upon us—and our problem now is not that of avoiding it but of defending ourselves against a hostile movement seriously threatening us and the entire Western Hemisphere.

The blunt truth is that the world is steadily being dragged downward and backward by the mightiest movement of conquest ever attempted in all history. Armed and militant predatory forces are marching across continents and invading the seas, leaving desolation in their wake. With them rides a policy of frightfulness, pillage, murder, and calculated cruelty which fills all civilized mankind with horror and indignation. Institutions devoted to the safeguarding and promotion of human rights and welfare built up through the ages are being destroyed by methods like those used by barbarian invaders 16 centuries ago.

To many people, especially in a peace-loving country like ours, this attempt at world-conquest, now proceeding on an ever-expanding scale, appears so unusual and unprecedented that they do not at all perceive the danger to this country that this movement portends. This failure to realize

and comprehend the vastness of the plan and the savagery of its unlimited objectives has been, and still is, the greatest single source of peril to those free peoples who are yet unconquered and who still possess and enjoy their priceless institutions. If the 16 nations that already have been overrun and enslaved could break their enforced silence and speak to us, they would cry out with a single voice, "Do not delay your defense until it is too late."

The Hitler government is engaged in a progressive and widening assault carried out through unrestricted attacks by submarines, surface raiders, and aircraft at widely separated points. The intent of these attacks is to intimidate this country into weakening or abandoning the legitimate defenses of the hemisphere by retreating from the seas. In defiance of the laws of the sea and the recognized rights of all nations, the Hitler government has presumed to declare on paper that great areas of the ocean are to be closed and that no ships may enter those areas for any purpose except at peril of being sunk. This pronouncement of indiscriminate sinking makes no distinction between armed and unarmed vessels, nor does the actual practice of the German Government make any such distinction. Since vessels are thus sunk whether armed or unarmed, it is manifest that a greater degree of safety would be had by arming them. Moreover, Germany carries her policy of frightfulness, especially in the Atlantic, far outside of these paper areas.

We are confronted with a paramount problem, and we must be guided by a controlling principle.

The problem is to set up as swiftly as possible the most effective means of self-defense. The principle is that the first duty of an independent nation is to safeguard its own security.

In the light of these considerations, further revision of our neutrality legislation is now imperatively required. Now, as in earlier times, necessary measures on land and sea for the defense of the United States and of the other independent nations of this hemisphere must be taken, in accordance with the wise, settled, and traditional policy of our Republic.

We are today face to face with a great emergency. We should not sit with our hands tied by these provisions of law.

If Hitler should succeed in his supreme purpose to conquer Great Britain and thus secure control of the high seas, we would suddenly find the danger at our own door.

Provisions of the Neutrality Act must not prevent our full defense. Any that stand in the way should be promptly repealed. I support the pending proposal to repeal section 6. My own judgment is that section 2 also should be repealed or modified.

X. NAVY AND TOTAL DEFENSE DAY

ADDRESS BY THE PRESIDENT OCTOBER 27, 1941

(Dept. of State Bulletin, Vol. V, No. 123, Nov. 1, 1941)

Five months ago tonight I proclaimed to the American people the existence of a state of unlimited emergency.

Since then much has happened. Our Army and Navy are temporarily in Iceland in the defense of the Western Hemisphere.

Hitler has attacked shipping in areas close to the Americas throughout the Atlantic.

Many American-owned merchant ships have been sunk on the high seas. One American destroyer was attacked on September fourth. Another destroyer was attacked and hit on October seventeenth. Eleven brave and loyal men of our Navy were killed by the Nazis.

We have wished to avoid shooting. But the shooting has started. And history has recorded who fired the first shot. In the long run, however, all that will matter is who fired the last shot.

America has been attacked. The U. S. S. *Kearny* is not just a Navy ship. She belongs to every man, woman, and child in this Nation.

Illinois, Alabama, California, North Carolina, Ohio, Louisiana, Texas, Pennsylvania, Georgia, Arkansas, New York, Virginia—those are the home States of the honored dead and wounded of the *Kearny*. Hitler's torpedo was directed at every American, whether he lives on our seacoasts or in the innermost part of the Nation, far from the seas and far from the guns and tanks of the marching hordes of would-be conquerors of the world.

The purpose of Hitler's attack was to frighten the American people off the high seas—to force us to make a trembling retreat. This is not the first time he has misjudged the American spirit. That spirit is now aroused.

If our national policy were to be dominated by the fear of shooting, then all of our ships and those of our sister republics would have to be tied up in home harbors. Our Navy would have to remain respectfully—abjectly—behind any line which Hitler might decree on any ocean as his own dictated version of his own war zone.

Naturally we reject that absurd and insulting suggestion. We reject it because of our own self-interest, our own self-respect, and our own good faith. Freedom of the seas is now, as it has always been, the fundamental policy of this Government.

Hitler has often protested that his plans for conquest do not extend across the Atlantic Ocean. His submarines and raiders prove otherwise. So does the entire design of his new world-order.

For example, I have in my possession a secret map made in Germany by Hitler's government—by the planners of the new world-order. It is a map of South America and a part of Central America as Hitler proposes to reorganize it. Today in this area there are 14 separate countries. The geographical experts of Berlin, however, have ruthlessly obliterated all existing boundary lines and have divided South America into five vassal states, bringing the whole continent under their domination. And they have also so arranged it that the territory of one of these new puppet states includes the Republic of Panama and our great lifeline—the Panama Canal.

This map makes clear the Nazi design not only against South America but against the United States itself.

Your Government has in its possession another document made in Germany by Hitler's govern-

ment. It is a detailed plan, which, for obvious reasons, the Nazis did not wish to publicize just yet, but which they are ready to impose on a dominated world—if Hitler wins. It is a plan to abolish all existing religions—Protestant, Catholic, Mohammedan, Hindu, Buddhist, and Jewish alike. The property of all churches will be seized by the Reich. The cross and all other symbols of religion are to be forbidden. The clergy are to be forever silenced under penalty of the concentration camps, where even now so many fearless men are being tortured because they placed God above Hitler.

In the place of the churches of our civilization, there is to be set up an International Nazi Church—a church which will be served by orators sent out by the Nazi government. In the place of the Bible, the words of *Mein Kampf* will be imposed and enforced as Holy Writ. And in place of the cross of Christ will be put two symbols—the swastika and the naked sword.

The God of Blood and Iron will take the place of the God of Love and Mercy.

These grim truths which I have told you of the present and future plans of Hitlerism will of course be hotly denied tomorrow in the controlled press and radio of the Axis Powers. And some Americans will continue to insist that Hitler's plans need not worry us—and that we should not concern ourselves with anything that goes on beyond rifle shot of our own shores.

The protestations of these American citizens—few in number—will, as usual, be paraded with applause through the Axis press and radio during the next few days, in an effort to convince the world that the majority of Americans are opposed to their

duly chosen Government, and in reality are only waiting to jump on Hitler's bandwagon when it comes this way.

The motive of such Americans is not the point at issue. The fact is that Nazi propaganda continues in desperation to seize upon such isolated statements as proof of American disunity.

The Nazis have made up their own list of modern American heroes. It is, fortunately, a short list. I am glad that it does not contain my name.

All of us Americans, of all opinions, are faced with the choice between the kind of world we want to live in and the kind of world which Hitler and his hordes would impose upon us.

None of us wants to burrow under the ground and live in total darkness like a comfortable mole.

The forward march of Hitlerism can be stopped—and it will be stopped.

Very simply and very bluntly—we are pledged to pull our own oar in the destruction of Hitlerism.

And when we have helped to end the curse of Hitlerism we shall help to establish a new peace which will give to decent people everywhere a better chance to live and prosper in security and in freedom and in faith.

Each day that passes we are producing and providing more and more arms for the men who are fighting on actual battlefronts. That is our primary task.

And it is the Nation's will that these vital arms and supplies of all kinds shall neither be locked up in American harbors nor sent to the bottom of the sea. It is the Nation's will that America shall deliver the goods. In open defiance of that will,

our ships have been sunk and our sailors have been killed.

I say that we do not propose to take this lying down.

Our determination not to take it lying down has

I say that we do not propose to take this lying to shoot on sight. Those orders stand.

Furthermore, the House of Representatives has already voted to amend part of the Neutrality Act of 1939, today outmoded by force of violent circumstances. The Senate Committee on Foreign Relations has also recommended elimination of other hamstringing provisions in that act. That is the course of honesty and of realism.

Our American merchant ships must be armed to defend themselves against the rattlesnakes of the sea.

Our American merchant ships must be free to carry our American goods into the harbors of our friends.

Our American merchant ships must be protected by our American Navy.

It can never be doubted that the goods will be delivered by this Nation, whose Navy believes in the tradition of "Damn the torpedoes; full speed ahead!"

Our national will must speak from every assembly line in our vast industrial machine. Our factories and our shipyards are constantly expanding. Our output must be multiplied.

It cannot be hampered by the selfish obstruction of a small but dangerous minority of industrial managers who hold out for extra profits or for "business as usual". It cannot be hampered by

the selfish obstruction of a small but dangerous minority of labor leaders who are a menace to the true cause of labor itself, as well as to the Nation as a whole.

The lines of our essential defense now cover all the seas, and to meet the extraordinary demands of today and tomorrow our Navy grows to unprecedented size. Our Navy is ready for action. Indeed, units of it in the Atlantic patrol are in action. Its officers and men need no praise from me.

Our new Army is steadily developing the strength needed to withstand the aggressors. Our soldiers of today are worthy of the proudest traditions of the United States Army. But traditions cannot shoot down dive bombers or destroy tanks. That is why we must and shall provide, for every one of our soldiers, equipment and weapons—not merely as good but better than that of any other army on earth. And we are doing that right now.

For this—and all of this—is what we mean by total national defense.

The first objective of that defense is to stop Hitler. He can be stopped and can be compelled to dig in. And that will be the beginning of his downfall, because dictatorship of the Hitler type can live only through continuing victories—increasing conquests.

The facts of 1918 are proof that a mighty German Army and a tired German people can crumble rapidly and go to pieces when they are faced with successful resistance.

Nobody who admires qualities of courage and endurance can fail to be stirred by the full-fledged

resistance of the Russian people. The Russians are fighting for their own soil and their own homes. Russia needs all kinds of help—planes, tanks, guns, medical supplies, and other aids—toward the successful defense against the invaders. From the United States and from Britain she is getting great quantities of those essential supplies. But the needs of her huge army will continue—and our help and British help will have to continue!

The other day the Secretary of State of the United States was asked by a Senator to justify our giving aid to Russia. His reply was: "The answer to that depends on how anxious a person is to stop and destroy the march of Hitler in his conquest of the world. If he were anxious enough to defeat Hitler, he would not worry about who was helping to defeat him."

Upon our American production falls the colossal task of equipping our own armed forces and helping to supply the British, the Russians, and the Chinese. In the performance of that task we dare not fail. And we will not fail.

It has not been easy for us Americans to adjust ourselves to the shocking realities of a world in which the principles of common humanity and common decency are being mowed down by the firing squads of the Gestapo. We have enjoyed many of God's blessings. We have lived in a broad and abundant land, and by our industry and productivity we have made it flourish.

There are those who say that our great good fortune has betrayed us—that we are now no match for the regimented masses who have been trained in the Spartan ways of ruthless brutality. They say that

we have grown fat and flabby and lazy—and that we are doomed.

But those who say that know nothing of America or of American life.

They do not know that this land is great because it is a land of endless challenge. Our country was first populated, and it has been steadily developed, by men and women in whom there burned the spirit of adventure and restlessness and individual independence which will not tolerate oppression.

Ours has been a story of vigorous challenges which have been accepted and overcome—challenges of uncharted seas, of wild forests and desert plains, of raging floods and withering drought, of foreign tyrants and domestic strife, of staggering problems—social, economic, and physical; and we have come out of them the most powerful nation—and the freest—in all of history.

Today in the face of this newest and greatest challenge, we Americans have cleared our decks and taken our battle stations. We stand ready in the defense of our Nation and the faith of our fathers to do what God has given us the power to see as our full duty.

XI. CLAIMS AGAINST GERMANY IN THE CASE OF THE "ROBIN MOOR"

(Dept. of State Bulletin, Vol. V, No. 124, Nov. 8, 1941)

On June 20, 1941 the State Department sent to the German Embassy in Washington, for the information of the German Government, the President's message to the Congress regarding the sinking of the *Robin Moor*. The German Chargé d'Affaires replied on June 24, 1941 as follows:

“WASHINGTON, D. C.,
“June 24, 1941.

“MR. UNDERSECRETARY OF STATE :

“In reply to your note of the 20th of this month, I have the honor to advise you that I do not find myself in a position to pass on, in accordance with your request, the text sent to me of a message to Congress from the President of the United States of America for the information of my Government.

“Accept [etc.]

THOMSEN”

On September 19 the Department sent a further note to the German Embassy, the text of which is as follows :

“SEPTEMBER 19, 1941.

“SIR :

“Reference is made to the Department’s communication of June 20, 1941, with which there was transmitted, by direction of the President of the United States, a copy of a message addressed on that date by the President to the Congress of the United States in which it was stated that the German Government would be expected to make full reparation for the losses and damages sustained by American nationals as a consequence of the unlawful sinking of the American vessel *Robin Moor* by a German submarine on May 21, 1941 in the south Atlantic Ocean.

“I now have to inform you that after an investigation undertaken for the purpose of ascertaining the extent of the losses and damages sustained, and with a view to effecting a prompt liquidation of the matter, the Government of the United States is prepared to accept, for appropriate distribution by it, the lump sum of \$2,967,092.00, currency of the United States, in satisfaction and full settlement of all claims of the United States and its nationals against the German Government for losses and damages sustained as a consequence of the sinking, subject, however, to the condition that payment of that sum by the German Government be effected at Washington within ninety days from this date. While the sum mentioned includes an amount representing the value of property of this Government which

was on board the vessel, no item of punitive damages is included.

"Accept [etc.]

CORDELL HULL"

This last note was acknowledged by the German Embassy on the same day with a statement that the contents of the note had been transmitted to the German Government.

Later, on September 26, the German Embassy the following communication to the Department of State:

"WASHINGTON, D. C.,
"September 26, 1941.

"MR. SECRETARY OF STATE :

"On the 19th day of this month you sent me a new note with reference to your communication of June 20 of this year concerning the American steamer *Robin Moor*. I have the honor to reply to you herewith that the two communications made are not such as to lead to an appropriate reply by my Government. In this regard I refer to my note of June 25th [June 24] of this year.

"Accept [etc.]

THOMSEN"

XII. REVISION OF THE NEUTRALITY ACT OF 1939

LETTER OF THE PRESIDENT TO THE SPEAKER AND THE MAJORITY LEADER OF THE HOUSE

(Dept. of State Bulletin, Vol. V, No. 125, Nov. 15, 1941)

The text of a letter addressed by the President to the Honorable Sam Rayburn, Speaker of the House, and the Honorable John W. McCormack, Majority Leader of the House, follows:

"MY DEAR MR. SPEAKER AND MR. McCORMACK :

"I had had no thought of expressing to the House my views of the effect, in foreign countries and especially in Germany, of favorable or unfavorable action on the Senate amendments.

"But in view of your letter, I am replying as simply and clearly as I know how.

"In my message of October 9, I definitely recommended arming of ships and removing the prohibition against sending American-flag ships into belligerent ports. Both I regarded as of extreme importance—the first I called of immediate importance at that time. This did not lessen the importance of the second. Another month has gone by, and the second I regard today as of at least equal importance with the first.

"In regard to the repeal of sections 2 and 3 of the Neutrality Act, I need only call your attention to three elements. The first concerns the continued sinking of American-flag ships in many parts of the ocean. The second relates to great operational advantages in making continuous voyages to any belligerent port in any part of the world; thus, in all probability increasing the total percentage of goods—foodstuffs and munitions—actually delivered to those nations fighting Hitlerism. The third is the decision by the Congress and the Executive that this Nation, for its own present and future defense, must strengthen the supply line to all of those who are today keeping Hitlerism far from the Americas.

"With all of this in mind, the world is obviously watching the course of this legislation.

"In the British Empire, in China, and in Russia—all of whom are fighting a defensive war against invasion—the effect of failure of the Congress to repeal sections 2 and 3 of the Neutrality Act would be definitely discouraging. I am confident that it would not destroy their defense or morale, though it would weaken their position from the point of view of food and munitions.

"Failure to repeal these sections would, of course, cause rejoicing in the Axis nations. Failure would bolster aggressive steps and intentions in Germany, and in the other well-known aggressor nations under the leadership of Hitler.

"Judging by all recent experience, we could, all of us, look forward to enthusiastic applause in those three na-

tions based on the claim that the United States is dis-united as they have so often prophesied.

"Our own position in the struggle against aggression would be definitely weakened, not only in Europe and in Asia, but also among our sister republics in the Americas. Foreign nations, friends and enemies, would misinterpret our own mind and purpose.

"I have discussed this letter with the Secretary of State and he wholeheartedly concurs.

"May I take this opportunity of mentioning that in my judgment failure of the House to take favorable action on the Senate amendments would also weaken our domestic situation? Such failure would weaken our great effort to produce all we possibly can and as rapidly as we can. Strikes and stoppages of work would become less serious in the mind of the public.

"I am holding a conference tomorrow in the hope that certain essential coal mines can remain in continuous operation. This may prove successful.

"But if it is not successful it is obvious that this coal must be mined in order to keep the essential steel mills at work. The Government of the United States has the backing of the overwhelming majority of the people of the United States, including the workers.

"Very sincerely yours,

FRANKLIN D. ROOSEVELT"

XIII. NEUTRALITY LAW REPEAL

JOINT RESOLUTION

TO REPEAL SECTIONS 2, 3, AND 6 OF THE NEUTRALITY
ACT OF 1939, AND FOR OTHER PURPOSES

(Public Law 294—77th Cong., Chap. 473, 1st Sess., H. J. Res. 237)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 2 of the Neutrality Act of 1939 (relating to commerce with States engaged in armed conflict), and Section

3 of such Act (relating to combat areas), are hereby repealed.

SECTION 2. Section 6 of the Neutrality Act of 1939 (relating to the arming of American vessels) is hereby repealed; and, during the unlimited national emergency proclaimed by the President on May 27, 1941, the President is authorized, through such agency as he may designate, to arm, or to permit or cause to be armed, any American vessel as defined in such Act. The provisions of Section 16 of the Criminal Code (relating to bonds from armed vessels on clearing) shall not apply to any such vessel.

Approved, November 17, 1941, 4:30 p. m., E. S. T.

XIV. SEIZURE OF THE "ODENWALD"

(New York Times, Nov. 19, 1941)

The cruiser *Omaha* today was revealed as the warship that seized the German freighter *Odenwald*, disguised as the steamer *Willmoto*, of Philadelphia, in Atlantic equatorial waters.

The disclosure came in a libel for salvage, filed in the United States District Court by United States Attorney Cecil Snyder. The action was brought for the United States and on behalf of the *Omaha's* officers and crew. The *Omaha* brought the *Odenwald* to a San Juan anchorage yesterday.

Libels were brought against the ship, cargo, and freight with a request that the court decree a full salvage award for the services of the *Omaha*, including saving the lives of the *Odenwald's* crew, and a request that the ship and cargo be sold to pay the salvage award.

The brief document filed relates that on Nov. 6 the *Omaha* came upon the vessel, flying the

American flag, identified only by the name *Willmoto* painted on her; that the ship had been abandoned by her master and crew and was sinking remote from any port of refuge or other assistance.

The libel asserts that the freighter raised the signal "Sinking; send boats for passengers" following which there were two explosions. The *Omaha* sped a boarding party which succeeded at great personal risk and with much gallantry in preventing the *Willmoto* and her cargo from foundering and becoming a total loss."

The Government made some clarification of the laws under which the freighter *Odenwald* was taken into custody, particularly the fact that the vessel was violating one section of the Neutrality Act that still stands, providing penalties for misuse of the American flag.

As passed in 1939, the Neutrality Act forbids any non-American vessel to use the American flag, or to "make use of distinctive signs or markings indicating that the same is an American vessel."

Any vessel violating this law is to be barred for three months from American ports, a penalty that would not concern the German Government at this time. In addition, however, the act imposes general penalties for violations of any of its provisions, which might be levied against the operators of the ship. Under the general clause the operators may be imprisoned for two years or fined \$10,000, or both penalties may be imposed.

Capture of the ship drew attention to practices recognized under international law that permit merchant vessels to fly false colors to escape im-

minent attack or capture. Warships may do likewise, but these must break out their true colors before engaging in action. There was no clear indication whether the deception might extend to permanent false markings such as the American flags painted on the *Odenwald*.

XV. PROTECTION OF BAUXITE MINES IN SURINAM

(Dept. of State Bulletin, Vol. V, No. 127, Nov. 29, 1941)

The bauxite mines in Surinam furnish upwards of 60 percent of the requirements of the United States aluminum industry, which is vital to the defense of the United States, the Western Hemisphere, and the nations actively resisting aggression.

It is therefore necessary that the safety of these mines should be as completely assured as present conditions demand.

In normal circumstances the Government of the Netherlands would, for the purpose of strengthening further the defenses of Surinam, draw on the armed forces of the Netherlands Indies. In view, however, of the present situation in the southwestern Pacific, it is thought inadvisable to follow that course.

For this reason the Governments of the Netherlands and of the United States of America have entered into consultation. As a result, the latter has agreed to send a contingent of the United States Army to Surinam to cooperate with the Netherlands forces in assuring the protection of the bauxite mines in that territory. This contingent will, of course, be withdrawn as soon as the

present danger to the mines is removed and at the latest at the conclusion of hostilities.

Simultaneously the Government of the Netherlands has invited the Government of the United States of Brazil to participate in this defense measure. It is understood that Brazil will contribute to the common aim by exercising an especial measure of military vigilance in the frontier zone adjacent to Surinam and by sending a mission to Paramaribo to exchange information and concert all other steps on the basis indicated to assure maximum efficiency of the safety measures thus being jointly undertaken by the Brazilian, United States, and Netherlands forces.

The Government of Brazil has indicated its whole-hearted approval of the emergency measures.

At the same time, the Government of the United States has notified the Governments of the American republics of the foregoing arrangements, which have been reached in the interests of all.

XVI. ARMING OF AMERICAN MERCHANT VESSELS

(Dept. of State Bulletin, Vol. V, No. 127, Nov. 29, 1941)

American merchant vessels sailing on routes between United States ports and ports of Spain, Portugal, and their adjacent island possessions will not be armed.

American merchant vessels sailing in the inter-American trade between ports of the United States and ports in Central and South America will not be armed.

American merchant vessels sailing on routes in the Pacific Ocean will not be armed under existing circumstances.

Public announcement will be made of any change of policy affecting any of these routes.

XVII. THE JAPANESE ATTACK

STATEMENT BY THE SECRETARY OF STATE

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

Japan has made a treacherous and utterly unprovoked attack upon the United States.

At the very moment when representatives of the Japanese Government were discussing with representatives of this Government, at the request of the former, principles and courses of peace, the armed forces of Japan were preparing and assembling at various strategic points to launch new attacks and new aggressions upon nations and peoples with which Japan was professedly at peace including the United States.

I am now releasing for the information of the American people the statement of principles governing the policies of the Government of the United States and setting out suggestions for a comprehensive peaceful settlement covering the entire Pacific area, which I handed to the Japanese Ambassador on November 26, 1941.

I am likewise releasing the text of a Japanese reply thereto which was handed to me by the Japanese Ambassador today. Before the Japanese Ambassador delivered this final statement from his Government the treacherous attack upon the United States had taken place.

This Government has stood for all the principles that underlie fair-dealing, peace, law and order, and justice between nations and has steadfastly striven to promote and maintain that state of relations between itself and all other nations.

It is now apparent to the whole world that Japan in its recent professions of a desire for peace has been infamously false and fraudulent.

XVIII. UNITED STATES NOTE TO JAPAN NOVEMBER 26

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

The text of the document handed by the Secretary of State to the Japanese Ambassador on November 26, 1941, which consists of two parts, one an oral statement and one an outline of a proposed basis for agreement between the United States and Japan, reads as follows:

“ORAL

“Strictly confidential

“NOVEMBER 26, 1941.

“The representatives of the Government of the United States and of the Government of Japan have been carrying on during the past several months informal and exploratory conversations for the purpose of arriving at a settlement if possible of questions relating to the entire Pacific area based upon the principles of peace, law and order and fair dealing among nations. These principles include the principle of inviolability of territorial integrity and sovereignty of each and all nations; the principle of non-interference in the internal affairs of other countries; the principle of equality, including equality of commercial opportunity and treatment; and the principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes.

"It is believed that in our discussions some progress has been made in reference to the general principles which constitute the basis of a peaceful settlement covering the entire Pacific area. Recently the Japanese Ambassador has stated that the Japanese Government is desirous of continuing the conversations directed toward a comprehensive and peaceful settlement in the Pacific area; that it would be helpful toward creating an atmosphere favorable to the successful outcome of the conversations if a temporary *modus vivendi* could be agreed upon to be in effect while the conversations looking to a peaceful settlement in the Pacific were continuing. On November 20 the Japanese Ambassador communicated to the Secretary of State proposals in regard to temporary measures to be taken respectively by the Government of Japan and by the Government of the United States, which measures are understood to have been designed to accomplish the purposes above indicated.

"The Government of the United States most earnestly desires to contribute to the promotion and maintenance of peace and stability in the Pacific area, and to afford every opportunity for the continuance of discussions with the Japanese Government directed toward working out a broad-gauge program of peace throughout the Pacific area. The proposals which were presented by the Japanese Ambassador on November 20 contain some features which, in the opinion of this Government, conflict with the fundamental principles which form a part of the general settlement under consideration and to which each Government has declared that it is committed. The Government of the United States believes that the adoption of such proposals would not be likely to contribute to the ultimate objectives of ensuring peace under law, order and justice in the Pacific area, and it suggests that further effort be made to resolve our divergences of view in regard to the practical application of the fundamental principles already mentioned.

"With this object in view the Government of the United States offers for the consideration of the Japanese Government a plan of a broad but simple settlement covering the entire Pacific area as one practical exemplification of

a program which this Government envisages as something to be worked out during our further conversations.

"The plan therein suggested represents an effort to bridge the gap between our draft of June 21, 1941 and the Japanese draft of September 25 by making a new approach to the essential problems underlying a comprehensive Pacific settlement. This plan contains provisions dealing with the practical application of the fundamental principles which we have agreed in our conversations constitute the only sound basis for worthwhile international relations. We hope that in this way progress toward reaching a meeting of minds between our two Governments may be expedited."

*"Strictly confidential, tentative
and without commitment*

"NOVEMBER 26, 1941.

"OUTLINE OF PROPOSED BASIS FOR AGREEMENT BETWEEN THE UNITED STATES AND JAPAN

"Section I

"Draft Mutual Declaration of Policy

"The Government of the United States and the Government of Japan both being solicitous for the peace of the Pacific affirm that their national policies are directed toward lasting and extensive peace throughout the Pacific area, that they have no territorial designs in that area, that they have no intention of threatening other countries or of using military force aggressively against any neighboring nation, and that, accordingly, in their national policies they will actively support and give practical application to the following fundamental principles upon which their relations with each other and with all other governments are based:

"(1) The principle of inviolability of territorial integrity and sovereignty of each and all nations.

"(2) The principle of non-interference in the internal affairs of other countries.

“(3) The principle of equality, including equality of commercial opportunity and treatment.

“(4) The principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes.

“The Government of Japan and the Government of the United States have agreed that toward eliminating chronic political instability, preventing recurrent economic collapse, and providing a basis for peace, they will actively support and practically apply the following principles in their economic relations with each other and with other nations and peoples:

“(1) The principle of non-discrimination in international commercial relations.

“(2) The principle of international economic cooperation and abolition of extreme nationalism as expressed in excessive trade restrictions.

“(3) The principle of non-discriminatory access by all nations to raw material supplies.

“(4) The principle of full protection of the interests of consuming countries and populations as regards the operation of international commodity agreements.

“(5) The principle of establishment of such institutions and arrangements of international finance as may lend aid to the essential enterprises and the continuous development of all countries and may permit payments through processes of trade consonant with the welfare of all countries.

“Section II

“Steps To Be Taken by the Government of the United States and by the Government of Japan

“The Government of the United States and the Government of Japan propose to take steps as follows:

“1. The Government of the United States and the Government of Japan will endeavor to conclude a multilateral

non-aggression pact among the British Empire, China, Japan, the Netherlands, the Soviet Union, Thailand and the United States.

"2. Both Governments will endeavor to conclude among the American, British, Chinese, Japanese, the Netherlands and Thai Governments an agreement whereunder each of the Governments would pledge itself to respect the territorial integrity of French Indochina and, in the event that there should develop a threat to the territorial integrity of Indochina, to enter into immediate consultation with a view to taking such measures as may be deemed necessary and advisable to meet the threat in question. Such agreement would provide also that each of the Government party to the agreement would not seek or accept preferential treatment in its trade or economic relations with Indochina and would use its influence to obtain for each of the signatories equality of treatment in trade and commerce with French Indochina.

"3. The Government of Japan will withdraw all military, naval, air and police forces from China and from Indochina.

"4. The Government of the United States and the Government of Japan will not support—militarily, politically, economically—any government or regime in China other than the National Government of the Republic of China with capital temporarily at Chungking.

"5. Both Governments will give up all extraterritorial rights in China, including rights and interests in and with regard to international settlements and concessions, and rights under the Boxer Protocol of 1901.

"Both Governments will endeavor to obtain the agreement of the British and other governments to give up extraterritorial rights in China, including rights in international settlements and in concessions and under the Boxer Protocol of 1901.

"6. The Government of the United States and the Government of Japan will enter into negotiations for the conclusion between the United States and Japan of a trade agreement, based upon reciprocal most favored-nation treatment and reduction of trade barriers by both countries,

including an undertaking by the United States to bind raw silk on the free list.

"7. The Government of the United States and the Government of Japan will, respectively, remove the freezing restrictions on Japanese funds in the United States and on American funds in Japan.

"8. Both Governments will agree upon a plan for the stabilization of the dollar-yen rate, with the allocation of funds adequate for this purpose, half to be supplied by Japan and half by the United States.

"9. Both Governments will agree that no agreement which either has concluded with any third power or powers shall be interpreted by it in such a way as to conflict with the fundamental purpose of this agreement, the establishment and preservation of peace throughout the Pacific area.

"10. Both Governments will use their influence to cause other governments to adhere to and to give practical application to the basic political and economic principles set forth in this agreement."

XIX. MESSAGE FROM THE PRESIDENT TO THE EMPEROR OF JAPAN DECEMBER 6

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

The following message from the President to the Emperor of Japan was dispatched Saturday afternoon, December 6, and public announcement was made at that time that this message to the Emperor had been sent by the President:

"Almost a century ago the President of the United States addressed to the Emperor of Japan a message extending an offer of friendship of the people of the United States to the people of Japan. That offer was accepted, and in the long period of unbroken peace and friendship which has followed, our respective nations, through the virtues of their peoples and the wisdom of their rulers have prospered and have substantially helped humanity.

"Only in situations of extraordinary importance to our two countries need I address to Your Majesty messages on matters of state. I feel I should now so address you because of the deep and far-reaching emergency which appears to be in formation.

"Developments are occurring in the Pacific area which threaten to deprive each of our nations and all humanity of the beneficial influence of the long peace between our two countries. Those developments contain tragic possibilities.

"The people of the United States, believing in peace and in the right of nations to live and let live, have eagerly watched the conversations between our two Governments during these past months. We have hoped for a termination of the present conflict between Japan and China. We have hoped that a peace of the Pacific could be consummated in such a way that nationalities of many diverse peoples could exist side by side without fear of invasion; that unbearable burdens of armaments could be lifted for them all; and that all peoples would resume commerce without discrimination against or in favor of any nation.

"I am certain that it will be clear to Your Majesty, as it is to me, that in seeking these great objectives both Japan and the United States should agree to eliminate any form of military threat. This seemed essential to the attainment of the high objectives.

"More than a year ago Your Majesty's Government concluded an agreement with the Vichy Government by which five or six thousand Japanese troops were permitted to enter into Northern French Indo-China for the protection of Japanese troops which were operating against China further north. And this Spring and Summer the Vichy Government permitted further Japanese military forces to enter into Southern French Indo-China for the common defense of French Indo-China. I think I am correct in saying that no attack has been made upon Indo-China, nor that any has been contemplated.

"During the past few weeks it has become clear to the world that Japanese military, naval and air forces have been sent to Southern Indo-China in such large numbers as to

create a reasonable doubt on the part of other nations that this continuing concentration in Indo-China is not defensive in its character.

"Because these continuing concentrations in Indo-China have reached such large proportions and because they extend now to the southeast and the southwest corners of that Peninsula, it is only reasonable that the people of the Philippines, of the hundreds of Islands of the East Indies, of Malaya and of Thailand itself are asking themselves whether these forces of Japan are preparing or intending to make attack in one or more of these many directions.

"I am sure that Your Majesty will understand that the fear of all these peoples is a legitimate fear inasmuch as it involves their peace and their national existence. I am sure that Your Majesty will understand why the people of the United States in such large numbers look askance at the establishment of military, naval and air bases manned and equipped so greatly as to constitute armed forces capable of measures of offense.

"It is clear that a continuance of such a situation is unthinkable.

"None of the peoples whom I have spoken of above can sit either indefinitely or permanently on a keg of dynamite.

"There is absolutely no thought on the part of the United States of invading Indo-China if every Japanese soldier or sailor were to be withdrawn therefrom.

"I think that we can obtain the same assurance from the Governments of the East Indies, the Governments of Malaya and the Government of Thailand. I would even undertake to ask for the same assurance on the part of the Government of China. Thus a withdrawal of the Japanese forces from Indo-China would result in the assurance of peace throughout the whole of the South Pacific area.

"I address myself to Your Majesty at this moment in the fervent hope that Your Majesty may, as I am doing, give thought in this definite emergency to ways of dispelling the dark clouds. I am confident that both of us, for the sake of the peoples not only of our own great countries but for the sake of humanity in neighboring territories, have a sacred duty to restore traditional amity and prevent further death and destruction in the world."

XX. JAPANESE NOTE TO THE UNITED STATES DECEMBER 7

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

On November 26 the Secretary of State handed to the Japanese representatives a document which stated the principles governing the policies of the Government of the United States toward the situation in the Far East and setting out suggestions for a comprehensive peaceful settlement covering the entire Pacific area.

At 1 p. m. December 7 the Japanese Ambassador asked for an appointment for the Japanese representatives to see the Secretary of State. The appointment was made for 1:45 p. m. The Japanese representatives arrived at the office of the Secretary of State at 2:05 p. m. They were received by the Secretary at 2:20 p. m. The Japanese Ambassador handed to the Secretary of State what was understood to be a reply to the document handed to him by the Secretary of State on November 26.

Secretary Hull carefully read the statement presented by the Japanese representatives and immediately turned to the Japanese Ambassador and with the greatest indignation said:

"I must say that in all my conversations with you [the Japanese Ambassador] during the last nine months I have never uttered one word of untruth. This is borne out absolutely by the record. In all my 50 years of public service I have never seen a document that was more crowded with infamous falsehoods and distortions—infamous falsehoods and distortions on a scale so huge that I never imagined until today that any Government on this planet was capable of uttering them."

The text of the document handed by the Japanese Ambassador to the Secretary of State at 2:20 p. m., December 7, 1941, reads as follows:

“MEMORANDUM

“1. The Government of Japan, prompted by a genuine desire to come to an amicable understanding with the Government of the United States in order that the two countries by their joint efforts may secure the peace of the Pacific Area and thereby contribute toward the realization of world peace, has continued negotiations with the utmost sincerity since April last with the Government of the United States regarding the adjustment and advancement of Japanese-American relations and the stabilization of the Pacific Area.

“The Japanese Government has the honor to state frankly its views concerning the claims the American Government has persistently maintained as well as the measures the United States and Great Britain have taken toward Japan during these eight months.

“2. It is the immutable policy of the Japanese Government to insure the stability of East Asia and to promote world peace and thereby to enable all nations to find each its proper place in the world.

“Ever since China Affair broke out owing to the failure on the part of China to comprehend Japan's true intentions, the Japanese Government has striven for the restoration of peace and it has consistently exerted its best efforts to prevent the extension of war-like disturbances. It was also to that end that in September last year Japan concluded the Tripartite Pact with Germany and Italy.

“However, both the United States and Great Britain have resorted to every possible measure to assist the Chungking régime so as to obstruct the establishment of a general peace between Japan and China, interfering with Japan's constructive endeavours toward the stabilization of East Asia. Exerting pressure on the Netherlands East Indies, or menacing French Indo-China, they have attempted to frustrate Japan's aspiration to the ideal of common prosperity in

cooperation with these regions. Furthermore, when Japan in accordance with its protocol with France took measures of joint defense of French Indo-China, both American and British Governments, wilfully misinterpreting it as a threat to their own possessions, and inducing the Netherlands Government to follow suit, they enforced the assets freezing order, thus severing economic relations with Japan. While manifesting thus an obviously hostile attitude, these countries have strengthened their military preparations perfecting an encirclement of Japan, and have brought about a situation which endangers the very existence of the Empire.

"Nevertheless, to facilitate a speedy settlement, the Premier of Japan proposed, in August last, to meet the President of the United States for a discussion of important problems between the two countries covering the entire Pacific area. However, the American Government, while accepting in principle the Japanese proposal, insisted that the meeting should take place after an agreement of view had been reached on fundamental and essential questions.

"3. Subsequently, on September 25th the Japanese Government submitted a proposal based on the formula proposed by the American Government, taking fully into consideration past American claims and also incorporating Japanese views. Repeated discussions proved of no avail in producing readily an agreement of view. The present cabinet, therefore, submitted a revised proposal, moderating still further the Japanese claims regarding the principal points of difficulty in the negotiation and endeavoured strenuously to reach a settlement. But the American Government, adhering steadfastly to its original assertions, failed to display in the slightest degree a spirit of conciliation. The negotiation made no progress.

"Therefore, the Japanese Government, with a view to doing its utmost for averting a crisis in Japanese-American relations, submitted on November 20th still another proposal in order to arrive at an equitable solution of the more essential and urgent questions which, simplifying its previous proposal, stipulated the following points:

- "(1) The Governments of Japan and the United States undertake not to dispatch armed forces into any of

the regions, excepting French Indo-China, in the Southeastern Asia and the Southern Pacific area.

“(2) Both Governments shall cooperate with the view to securing the acquisition in the Netherlands East Indies of those goods and commodities of which the two countries are in need.

“(3) Both Governments mutually undertake to restore commercial relations to those prevailing prior to the freezing of assets.

“The Government of the United States shall supply Japan the required quantity of oil.

“(4) The Government of the United States undertakes not to resort to measures and actions prejudicial to the endeavours for the restoration of general peace between Japan and China.

“(5) The Japanese Government undertakes to withdraw troops now stationed in French Indo-China upon either the restoration of peace between Japan and China or the establishment of an equitable peace in the Pacific Area; and it is prepared to remove the Japanese troops in the southern part of French Indo-China to the northern part upon the conclusion of the present agreement.

“As regards China, the Japanese Government, while expressing its readiness to accept the offer of the President of the United States to act as ‘introducer’ of peace between Japan and China as was previously suggested, asked for an undertaking on the part of the United States to do nothing prejudicial to the restoration of Sino-Japanese peace when the two parties have commenced direct negotiations.

“The American Government not only rejected the above-mentioned new proposal, but made known its intention to continue its aid to Chiang Kai-shek; and in spite of its suggestion mentioned above, withdrew the offer of the President to act as so-called ‘introducer’ of peace between Japan and China, pleading that time was not yet ripe for it. Finally on November 26th, in an attitude to impose upon the Japanese Government those principles it has persistently maintained, the American Government made a proposal totally

ignoring Japanese claims, which is a source of profound regret to the Japanese Government.

"4. From the beginning of the present negotiation the Japanese Government has always maintained an attitude of fairness and moderation, and did its best to reach a settlement, for which it made all possible concessions often in spite of great difficulties. As for the China question which constitutes an important subject of the negotiation, the Japanese Government showed a most conciliatory attitude. As for the principle of non-discrimination in international commerce, advocated by the American Government, the Japanese Government expressed its desire to see the said principle applied throughout the world, and declared that along with the actual practice of this principle in the world, the Japanese Government would endeavour to apply the same in the Pacific area including China, and made it clear that Japan had no intention of excluding from China economic activities of third powers pursued on an equitable basis. Furthermore, as regards the question of withdrawing troops from French Indo-China, the Japanese Government even volunteered, as mentioned above, to carry out an immediate evacuation of troops from Southern French Indo-China as a measure of easing the situation.

"It is presumed that the spirit of conciliation exhibited to the utmost degree by the Japanese Government in all these matters is fully appreciated by the American Government.

"On the other hand, the American Government, always holding fast to theories in disregard of realities, and refusing to yield an inch on its impractical principles, caused undue delay in the negotiation. It is difficult to understand this attitude of the American Government and the Japanese Government desires to call the attention of the American Government especially to the following points:

"1. The American Government advocates in the name of world peace those principles favorable to it and urges upon the Japanese Government the acceptance thereof. The peace of the world may be brought about only by discovering a mutually acceptable formula through recognition of the reality of the situation and mutual appreciation of one

another's position. An attitude such as ignores realities and impose one's selfish views upon others will scarcely serve the purpose of facilitating the consummation of negotiations.

"Of the various principles put forward by the American Government as a basis of the Japanese-American Agreement, there are some which the Japanese Government is ready to accept in principle, but in view of the world's actual condition it seems only a utopian ideal on the part of the American Government to attempt to force their immediate adoption.

"Again, the proposal to conclude a multilateral non-aggression pact between Japan, United States, Great Britain, China, the Soviet Union, the Netherlands and Thailand, which is patterned after the old concept of collective security, is far removed from the realities of East Asia.

"2. The American proposal contained a stipulation which states—'Both Governments will agree that no agreement, which either has concluded with any third power or powers, shall be interpreted by it in such a way as to conflict with the fundamental purpose of this agreement, the establishment and preservation of peace throughout the Pacific area.' It is presumed that the above provision has been proposed with a view to restrain Japan from fulfilling its obligations under the Tripartite Pact when the United States participates in the war in Europe, and, as such, it cannot be accepted by the Japanese Government.

"The American Government, obsessed with its own views and opinions, may be said to be scheming for the extension of the war. While it seeks, on the one hand, to secure its rear by stabilizing the Pacific Area, it is engaged, on the other hand, in aiding Great Britain and preparing to attack, in the name of self-defense, Germany and Italy, two Powers that are striving to establish a new order in Europe. Such a policy is totally at variance with the many principles upon which the American Government proposes to found the stability of the Pacific Area through peaceful means.

"3. Whereas the American Government, under the principles it rigidly upholds, objects to settle international issues through military pressure, it is exercising in conjunction

with Great Britain and other nations pressure by economic power. Recourse to such pressure as a means of dealing with international relations should be condemned as it is at times more inhumane than military pressure.

"4. It is impossible not to reach the conclusion that the American Government desires to maintain and strengthen, in coalition with Great Britain and other Powers, its dominant position it has hitherto occupied not only in China but in other areas of East Asia. It is a fact of history that the countries of East Asia for the past hundred years or more have been compelled to observe the *status quo* under the Anglo-American policy of imperialistic exploitation and to sacrifice themselves to the prosperity of the two nations. The Japanese Government cannot tolerate the perpetuation of such a situation since it directly runs counter to Japan's fundamental policy to enable all nations to enjoy each its proper place in the world.

"The stipulation proposed by the American Government relative to French Indo-China is a good exemplification of the above-mentioned American policy. Thus the six countries,—Japan, the United States, Great Britain, the Netherlands, China, and Thailand,—excepting France, should undertake among themselves to respect the territorial integrity and sovereignty of French Indo-China and equality of treatment in trade and commerce would be tantamount to placing that territory under the joint guarantee of the Governments of those six countries. Apart from the fact that such a proposal totally ignores the position of France, it is unacceptable to the Japanese Government in that such an arrangement cannot but be considered as an extension to French Indo-China of a system similar to the Nine Power Treaty structure which is the chief factor responsible for the present predicament of East Asia.

"5. All the items demanded of Japan by the American Government regarding China such as wholesale evacuation of troops or unconditional application of the principle of non-discrimination in international commerce ignored the actual conditions of China, and are calculated to destroy Japan's position as the stabilizing factor of East Asia. The attitude of the American Government in demanding

Japan not to support militarily, politically or economically any régime other than the régime at Chungking, disregarding thereby the existence of the Nanking Government, shatters the very basis of the present negotiation. This demand of the American Government falling, as it does, in line with its above-mentioned refusal to cease from aiding the Chungking régime, demonstrates clearly the intention of the American Government to obstruct the restoration of normal relations between Japan and China and the return of peace to East Asia.

"5. In brief, the American proposal contains certain acceptable items such as those concerning commerce, including the conclusion of a trade agreement, mutual removal of the freezing restrictions, and stabilization of yen and dollar exchange, or the abolition of extra-territorial rights in China. On the other hand, however, the proposal in question ignores Japan's sacrifices in the four years of the China Affair, menaces the Empire's existence itself and disparages its honour and prestige. Therefore, viewed in its entirety, the Japanese Government regrets that it cannot accept the proposal as a basis of negotiation.

"6. The Japanese Government, in its desire for an early conclusion of the negotiation, proposed simultaneously with the conclusion of the Japanese-American negotiation, agreements to be signed with Great Britain and other interested countries. The proposal was accepted by the American Government. However, since the American Government has made the proposal of November 26th as a result of frequent consultation with Great Britain, Australia, the Netherlands and Chungking, and presumably by catering to the wishes of the Chungking régime in the questions of China, it must be concluded that all these countries are at one with the United States in ignoring Japan's position.

"7. Obviously it is the intention of the American Government to conspire with Great Britain and other countries to obstruct Japan's efforts toward the establishment of peace through the creation of a new order in East Asia, and especially to preserve Anglo-American rights and interests by keeping Japan and China at war. This intention has been revealed clearly during the course of the present negotiation.

Thus, the earnest hope of the Japanese Government to adjust Japanese-American relations and to preserve and promote the peace of the Pacific through cooperation with the American Government has finally been lost.

“The Japanese Government regrets to have to notify hereby the American Government that in view of the attitude of the American Government it cannot but consider that it is impossible to reach an agreement through further negotiations.

“DECEMBER 7, 1941.”

XXI. MESSAGE OF THE PRESIDENT TO THE CONGRESS DECEMBER 8

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

TO THE CONGRESS OF THE UNITED STATES:

Yesterday, December 7, 1941—a date which will live in infamy—the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan.

The United States was at peace with that Nation and, at the solicitation of Japan, was still in conversation with its Government and its Emperor looking toward the maintenance of peace in the Pacific. Indeed, one hour after Japanese air squadrons had commenced bombing in Oahu, the Japanese Ambassador to the United States and his colleague delivered to the Secretary of State a formal reply to a recent American message. While this reply stated that it seemed useless to continue the existing diplomatic negotiations, it contained no threat or hint of war or armed attack.

It will be recorded that the distance of Hawaii from Japan makes it obvious that the attack was deliberately planned many days or even weeks ago. During the intervening time the Japanese Govern-

ment has deliberately sought to deceive the United States by false statements and expressions of hope for continued peace.

The attack yesterday on the Hawaiian Islands has caused severe damage to American naval and military forces. Very many American lives have been lost. In addition American ships have been reported torpedoed on the high seas between San Francisco and Honolulu.

Yesterday the Japanese Government also launched an attack against Malaya.

Last night Japanese forces attacked Hong Kong.

Last night Japanese forces attacked Guam.

Last night Japanese forces attacked the Philippine Islands.

Last night the Japanese attacked Wake Island.

This morning the Japanese attacked Midway Island.

Japan has, therefore, undertaken a surprise offensive extending throughout the Pacific area. The facts of yesterday speak for themselves. The people of the United States have already formed their opinions and well understand the implications to the very life and safety of our Nation.

As Commander-in-Chief of the Army and Navy I have directed that all measures be taken for our defense.

Always will we remember the character of the onslaught against us.

No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory.

I believe I interpret the will of the Congress and of the people when I assert that we will not only

defend ourselves to the uttermost but will make very certain that this form of treachery shall never endanger us again.

Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in grave danger.

With confidence in our armed forces—with the unbounded determination of our people—we will gain the inevitable triumph—so help us God.

I ask that the Congress declare that since the unprovoked and dastardly attack by Japan on Sunday, December seventh, a state of war has existed between the United States and the Japanese Empire.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
December 8, 1941.

XXII. DECLARATION OF A STATE OF WAR WITH JAPAN

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

“JOINT RESOLUTION Declaring that a state of war exists between the Imperial Government of Japan and the Government and the people of the United States and making provisions to prosecute the same.

“Whereas the Imperial Government of Japan has committed unprovoked acts of war against the Government and the people of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Imperial Government of Japan which has thus been thrust upon the United States is hereby formally declared; and the President is hereby authorized and directed to employ

the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial Government of Japan; and, to bring the conflict to a successful termination, all of the resources of the country are hereby pledged by the Congress of the United States.

"Approved, December 8, 1941, 4:10 p. m., E. S. T."

XXIII. MESSAGE OF THE PRESIDENT TO THE CONGRESS DECEMBER 11

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

TO THE CONGRESS OF THE UNITED STATES:

On the morning of December eleventh, the Government of Germany, pursuing its course of world-conquest, declared war against the United States.

The long known and the long expected has thus taken place. The forces endeavoring to enslave the entire world now are moving towards this hemisphere.

Never before has there been a greater challenge to life, liberty, and civilization.

Delay invites greater danger. Rapid and united effort by all of the peoples of the world who are determined to remain free will insure a world victory of the forces of justice and of righteousness over the forces of savagery and of barbarism.

Italy also has declared war against the United States.

I therefore request the Congress to recognize a state of war between the United States and Germany, and between the United States and Italy.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

December 11, 1941.

XXIV. DECLARATIONS OF A STATE OF WAR WITH GERMANY AND ITALY

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

"JOINT RESOLUTION Declaring that a state of war exists between the Government of Germany and the Government and the people of the United States and making provision to prosecute the same.

"Whereas the Government of Germany has formally declared war against the Government and the people of the United States of America: Therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Government of Germany which has thus been thrust upon the United States is hereby formally declared; and the President is hereby authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Government of Germany; and, to bring the conflict to a successful termination, all of the resources of the country are hereby pledged by the Congress of the United States.

"Approved, December 11, 1941, 3:05 p. m., E. S. T."

"JOINT RESOLUTION Declaring that a state of war exists between the Government of Italy and the Government and the people of the United States and making provision to prosecute the same.

"Whereas the Government of Italy has formally declared war against the Government and the people of the United States of America: Therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Government of Italy which has thus been thrust upon the United States is hereby formally declared; and the President is hereby authorized and directed to employ the entire naval

and military forces of the United States and the resources of the Government to carry on war against the Government of Italy; and, to bring the conflict to a successful termination, all of the resources of the country are hereby pledged by the Congress of the United States.

“Approved, December 11, 1941, 3:06 p. m., E. S. T.”

XXV. DECLARATIONS OF A STATE OF WAR BY THE AXIS COUNTRIES

GERMAN DECLARATION

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

The German Chargé d’Affaires, Dr. Hans Thomsen, and the First Secretary of the German Embassy, Mr. von Stempel, called at the State Department at 8:20 a. m. on December 11, 1941. The Secretary, otherwise engaged, directed that they be received by the Chief of the European Division of the State Department, Mr. Ray Atherton. Mr. Atherton received the German representatives at 9:30 a. m.

The German representatives handed to Mr. Atherton a copy of a note that is being delivered this morning, December 11, to the American Chargé d’Affaires in Berlin. Dr. Thomsen said that Germany considers herself in a state of war with the United States. He asked that the appropriate measures be taken for the departure of himself, the members of the German Embassy, and staff in this country. He reminded Mr. Atherton that the German Government had previously expressed its willingness to grant the same treatment to American press correspondents in Germany as that accorded the American official staff on a reciprocal basis and added that he assumed that the de-

parture of other American citizens from Germany would be permitted on the same basis of German citizens desiring to leave this country. He referred to the exchange of civilians that had been arranged at the time Great Britain and Germany broke off diplomatic relations.

The German Chargé d'Affaires then stated that the Swiss Government would take over German interests in this country and that Dr. Bruggmann had already received appropriate instructions from his Government.

He then handed Mr. Atherton the note from the German Government. Mr. Atherton stated that in accepting this note from the German Chargé d'Affaires he was merely formalizing the realization that the Government and people of this country had faced since the outbreak of the war in 1939 of the threat and purposes of the German Government and the Nazi regime toward this hemisphere and our free American civilization.

Mr. Atherton then said that this Government would arrange for the delivery of Dr. Thomsen's passports and that he assumed that we would very shortly be in communication with the Swiss Minister. He added that Dr. Thomsen must realize, however, that the physical difficulties of the situation would demand a certain amount of time in working out this reciprocal arrangement for the departure of the missions of the two countries. The German representatives then took their leave.

The text of the note which the German representatives handed to Mr. Ray Atherton, Chief of the European Division of the State Department, at 9:30 a. m., December 11, the original of which

had been delivered the morning of December 11 to the American Chargé d’Affaires in Berlin, follows:

“MR. CHARGÉ D’AFFAIRES:

“The Government of the United States having violated in the most flagrant manner and in ever increasing measure all rules of neutrality in favor of the adversaries of Germany and having continually been guilty of the most severe provocations toward Germany ever since the outbreak of the European war, provoked by the British declaration of war against Germany on September 3, 1939, has finally resorted to open military acts of aggression.

“On September 11, 1941, the President of the United States publicly declared that he had ordered the American Navy and Air Force to shoot on sight at any German war vessel. In his speech of October 27, 1941, he once more expressly affirmed that this order was in force. Acting under this order, vessels of the American Navy, since early September 1941, have systematically attacked German naval forces. Thus, American destroyers, as for instance the *Greer*, the *Kearney* and the *Reuben James*, have opened fire on German submarines according to plan. The Secretary of the American Navy, Mr. Knox, himself confirmed that American destroyers attacked German submarines.

“Furthermore, the naval forces of the United States, under order of their Government and contrary to international law have treated and seized German merchant vessels on the high seas as enemy ships.

“The German Government therefore establishes the following facts:

“Although Germany on her part has strictly adhered to the rules of international law in her relations with the United States during every period of the present war, the Government of the United States from initial violations of neutrality has finally proceeded to open acts of war against Germany. The Government of the United States has thereby virtually created a state of war.

“The German Government, consequently, discontinues diplomatic relations with the United States of America and declares that under these circumstances brought about by

President Roosevelt Germany too, as from today, considers herself as being in a state of war with the United States of America.

"Accept, Mr. Chargé d'Affaires, the expression of my high consideration.

RIBBENTROP"

"DECEMBER 11, 1941."

ITALIAN DECLARATION

The Italian Foreign Minister, Count Ciano, sent for the American Chargé d'Affaires, Mr. George Wadsworth, at Rome at 2:30 the afternoon of December 11, and when Mr. Wadsworth arrived at his office Count Ciano informed him that as of December 11, 1941 Italy considers itself at war with the United States.

The Italian Ambassador, accompanied by Signor Conti, First Secretary of the Embassy, called on the morning of December 11 at Mr. Dunn's office at 10:30 to inform the Department that he was without instructions from his Government and to inquire as to his status. When he was informed that the Italian Government had notified the American Chargé d'Affaires in Rome December 11 that Italy considered itself at war with the United States the Ambassador asked that measures be taken to permit the staff of the Embassy to make their final arrangements for departure from the United States. He added that many Italian nationals in this country had requested that they be allowed to depart with the Italian diplomatic mission. He was informed that all arrangements for the departure of the Italian mission from this country and the treatment of Italian nationals would be dealt with strictly on a reciprocal basis in accordance with the treatment given by the Italian Govern-

ment to the American diplomatic mission and American nationals in Italy.

The Italian Ambassador was informed that we had long expected Germany to carry out its threat against this hemisphere and the United States and that we fully anticipated that Italy would obediently follow along.

HUNGARIAN DECLARATION

The Hungarian Prime Minister at 8 p. m. the evening of December 11 informed the American Minister that in view of the solidarity of Central European states, which he compared with the solidarity of the republics of the Western Hemisphere, Hungary was obliged to break diplomatic relations with the United States. He said that this was not with the intention of declaring war on this country.

The Prime Minister observed that he would have to consult with Berlin concerning the means, time, and route of departure of the diplomatic mission.

The American Minister in Budapest, Hungary, has informed the Department that the Hungarian Prime Minister informed him at 5:30 p. m., December 13, that Hungary considers war to exist between Hungary and the United States.

RUMANIAN DECLARATION

The American Legation in Bucharest, Rumania, has informed the Department that the Secretary General of the Rumanian Foreign Office had delivered a note to the Legation dated December 12, 1941, a translation of which follows:

"The Royal Rumanian Government has the honor to communicate to the Government of the United States of America that, in conformity with the dispositions of the

Tripartite Pact and respecting the obligations of solidarity contained in this pact, as a result of the state of war which has arisen between the United States of America on the one hand, and the German Reich, Italy and Japan on the other, Rumania herself is in a state of war with the United States of America."

BULGARIAN DECLARATION

The American Minister in Sofia, Bulgaria, informed the Department on December 13, 1941 that the Bulgarian Government had just declared to Parliament that in accordance with article 3 of the Tripartite Pact Bulgaria is in a state of war with England and the United States. He added that he was expecting official notification from the Foreign Office momentarily.

JAPANESE DECLARATION

(New York Times, Dec. 9, 1941)

We, by grace of Heaven, Emperor of Japan and seated on the throne of a line unbroken for ages eternal, enjoin upon thee, our loyal and brave subjects. We hereby declare war upon the United States of America and the British Empire.

The men and officers of our army and navy shall do their utmost in prosecuting the war. Our public servants of various departments will perform faithfully and diligently their appointed duties. The entire nation with united will shall mobilize its total strength so that nothing will miscarry in the attainment of our royal aims.

To insure the solidity of these ages and to contribute to world peace is the far-sighted policy which was formulated by our great, illustrious imperial grandsire's and our great imperial sire's ex-

perience, and which we lay constantly to heart to cultivate friendship among nations and to enjoy prosperity in common with all nations.

It has been truly unavoidable and far from our wishes that our Empire has now been brought to crossed swords with America and Britain. More than four years have passed since China, failing to comprehend the true intentions of our empire, and recklessly causing trouble, disturbed the peace of East Asia and compelled our Empire to take up arms.

Although there has been reestablished the National Government of China, with which Japan has effected neighborly intercourse and cooperation, the regime that has survived at Chungking, relying upon American and British protection, continues its opposition.

Eager for the realization of their ambitions to dominate the Orient, both America and Britain, by supporting the Chungking regime, have aggravated disturbances in East Asia. Moreover, these two powers, inducing other countries to follow suit, increased military preparations on all sides of our Empire to challenge us. They have obstructed by every means our peaceful commerce and finally resorted to a direct severance of economic relations menacing gravely the existence of our Empire.

Patiently have we waited and long have we endured in the hope that our government might retrieve the situation in peace, but our adversaries, showing not the least spirit of conciliation, have unduly delayed a settlement and in the meantime they have intensified the economic and political pressure to compel our empire to submit.

This turn of affairs would, if left unchecked, not only nullify our empire's efforts to stabilize East Asia, but also endanger the very existence of our nation.

The situation being such as it is, our empire, for its existence and self-defense, has no other recourse but to appeal to arms and to crush every obstacle in its path.

We rely upon the loyalty and courage of our subjects in our confident expectation that the task bequeathed by our forefathers will be carried forward and that the sources of evil will be speedily eradicated and an enduring peace established in East Asia, preserving thereby the glory of our empire.

XXVI. TURKISH DECLARATION OF NEUTRALITY

(Dept. of State Bulletin, Vol. V, No. 129, Dec. 13, 1941)

The Department of State has received the following note from the Turkish Ambassador, Mr. M. M. Ertegun:

"DECEMBER 14, 1941.

"MR. SECRETARY OF STATE:

"I have the honor to inform Your Excellency that in a telegram dated Ankara, December 10, 1941, but received in Washington only this morning, I am directed by my Government to notify the Government of the United States of America that the Government of the Republic has decided to extend the neutrality of Turkey to the new conflict which has just broken out.

"Please accept, Mr. Secretary of State, the assurance of my highest consideration.

M. M. ERTEGUN"

XXVII. DEFENSIVE SEA AREAS

(Executive Order, Dec. 11, 1941)

ESTABLISHING DEFENSIVE SEA AREAS AT PORTLAND, MAINE; PORTSMOUTH, NEW HAMPSHIRE; BOSTON, MASSACHUSETTS; NARRAGANSETT BAY; SAN DIEGO, CALIFORNIA; SAN FRANCISCO, CALIFORNIA; COLUMBIA RIVER ENTRANCE, AND STRAIT OF JUAN DE FUCA AND PUGET SOUND.

By virtue of the authority vested in me by Section 44 of the Criminal Code, as amended (U. S. C., title 18, Sec. 96), the following described areas are hereby established for purposes of national defense as naval defensive sea areas, with names as indicated:

1. PORTLAND, MAINE, DEFENSIVE SEA AREA

All United States territorial waters of Casco Bay, Portland Harbor, Luckse Sound, Broad Sound and their tributaries from the contour of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. charts, to:

A line running from Dyer Point (Cape Elizabeth) to West Cod Ledge Rock Buoy No. 2 in approximate position, latitude 40 degrees 34 minutes 17 seconds north, longitude 70 degrees 07 minutes 40 seconds west, thence to Bulwark Shoal Buoy, in approximate position latitude 43 degrees 36 minutes 02 seconds north, longitude 70 degrees 04 minutes 04 seconds west, thence to Halfway Rock Light, thence to the southernmost point on Little Birch Island, thence to Chegeag Point on Great Chegeag Island, thence to Blaney Point on

Cousin Island, thence to Drinkwater Point on the mainland; and within Portland Harbor to:

A line crossing Portland Harbor at the Portland Terminal Bridge.

2. PORTSMOUTH, NEW HAMPSHIRE, DEFENSIVE SEA AREA

All United States territorial waters of the Atlantic Ocean, Portsmouth, New Hampshire, and Kittery, Maine, harbors, the Piscataqua River and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. charts, to:

A line running northwest and southeast across Pepperrel Cove through Nun buoy No. 4 of Sihing Island, in approximate position latitude 43 degrees 04 minutes 40 seconds north, longitude 70 degrees 42 minutes 18 seconds west;

A line running southerly from Sisters Point on Gerrish Island to Nun Buoy No. 2 off West Sister Shoal in approximate position latitude 43 degrees 03 minutes 36 seconds north, longitude 70 degrees 40 minutes 11 seconds west, thence southwesterly to Bell Buoy No. 1 off Gunboat Shoal, in approximate position latitude 43 degrees 01 minute 25 seconds north, longitude 70 degrees 41 minutes 51 seconds west, thence westerly to Seal Rocks, thence northwest to the shore of the mainland;

A line running from Frosts Point Light to Jaffrey Point Light on Newcastle Island; and within Portsmouth Harbor, to:

A line crossing the Piscataqua River at and following the Boston & Maine Railroad Bridge.

3. BOSTON, MASSACHUSETTS, DEFENSIVE SEA AREA

All United States territorial waters of Massachusetts Bay, Broad Sound, President Roads, Boston Harbor; the Mystic, Chelsea and Charles Rivers, Quincy Bay, Weymouth, Fore River, Nantasket Roads, Hingham Bay and their tributaries, bays and streams from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. charts, to:

A line connecting Strawberry Point (Cohasset) and East Point, Nahant;

A line connecting Bass Point, Nahant, and Grovers Cliff, Winthrop Highlands; and within Boston Harbor, to:

A line across the Mystic River at and following the downstream Boston & Maine Railroad bridge; and

A line across the Charles River at and following the Charlestown bridge.

4. NARRAGANSETT BAY DEFENSIVE SEA AREA

All United States territorial waters of Narragansett Bay, the Sakonnet River, Providence Harbor, and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. chart, to:

A line running from the shore north of Point Judith on true bearing east to Little League Rock, thence northeasterly to Bell Buoy "E" in approximate position, latitude 41 degrees 24 minutes 23 seconds north, longitude 71 degrees 21 minutes 24 seconds west, thence to Bell Buoy No. 2 off Schuyler Ledge, in approximate position latitude 41 degrees 26 minutes 24 seconds north, longitude 71 degrees

11 minutes 39 seconds west, thence to the southernmost land of Sakonnet Point; and within Narragansett Bay and its tributaries to:

A line across the Taunton River at and following the New York, New Haven and Hartford Railroad Bridge; and

A line across the Seekonk River at and following the Red Bridge.

5. SAN DIEGO, CALIF., DEFENSIVE SEA AREA

All United States territorial waters of the Pacific Ocean, San Diego Bay and their tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U. S. C. and G. S. charts, to:

A line running from Point Loma Lighthouse southerly to lighted Whistle Buoy "1A," in approximate position latitude 32 degrees 37 minutes 19 seconds north, longitude 117 degrees 14 minutes 42 seconds west, thence northeasterly to torpedo range Buoy "O" in approximate position latitude 32 degrees 38 minutes 06 seconds north, longitude 117 degrees 12 minutes 07 seconds west, thence easterly to target No. 1 on shore, in approximate position latitude 32 degrees 37 minutes 20 seconds north, longitude 117 degrees 08 minutes 04 seconds west; and, within San Diego Bay, all the waters to the north of:

A line following the parallel of latitude 32 degrees 40 minutes north, from shore to shore.

6. SAN FRANCISCO, CALIF., DEFENSIVE SEA AREA

All United States territorial waters of the Gulf of the Farallones, San Francisco Bay, San Pablo

Bay, the Napa River, Carquinez Strait, Oakland Harbor, San Leandro Bay and their tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U. S. C. and G. S. charts, to:

A line running north to the shore from Whistle Buoy "1DR" (Duxbury Reef) in approximate position, latitude 27 degrees 51 minutes 36 seconds north, longitude 122 degrees 41 minutes 38 seconds west;

A line running southerly from Whistle Buoy "1DR" along the seaward limit of United States territorial waters to the parallel of latitude 37 degrees 40 minutes north, thence east along that parallel of latitude to the shore, and within San Francisco Bay and its tributaries to:

A line across the south part of San Francisco Bay at and following the San Mateo bridge;

A line across Carquinez Straits at and following the Southern Pacific Railroad bridge;

A line across the Napa River at and following the Vallejo-Mare Island Causeway.

7. COLUMBIA RIVER ENTRANCE DEFENSIVE SEA AREA

All United States territorial waters of the Pacific Ocean and the Columbia River and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. charts to:

A line running from North Head, Washington, west to the boundary, of United States territorial waters, thence southerly along the boundary of United States territorial waters to the vicinity of Bell Buoy No. 1, in approximate position latitude 46 degrees 14 minutes 21 seconds north, longitude

124 degrees 09 minutes 38 seconds west, thence southeasterly along the seaward boundary of United States territorial waters to the parallel of latitude 46 degrees 10 minutes north, and along this parallel of latitude to the shore; and within the Columbia River to:

A line across the Columbia River from Harrington Point, Washington, to Settler Point, Oregon:

A north and south line across Youngs River from shore to shore at the westernmost point of Daggett Point;

A line across the Lewis and Clark River at and following the Oregon Coast Highway Bridge.

8. STRAIT OF JUAN DE FUCA AND PUGET SOUND DEFENSIVE SEA AREA

All United States territorial waters of the Pacific Ocean, the Strait of Juan de Fuca, Admiralty Inlet, Saratoga Passage, Possession Sound, Hood Canal, Puget Sound, and their tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U. S. C. and G. S. charts to:

A line running north from Tatoosh Island to the international boundary, thence easterly along the international boundary line to the easternmost point of that line in the vicinity of Middle Bank, thence to Iceberg Point on Lopez Island, thence easterly to the shore of Whidbey Island at Deception Pass;

A line running north from Point Demock on Camano Island to the shore of Whidbey Island; and

A line running east from Camano Island to the shore of the mainland.

VESSELS BARRED AT NIGHT

A vessel not proceeding under United States naval or other United States authorized supervision shall not enter or navigate the waters of any of the defensive sea areas established hereby except during daylight, when good visibility conditions prevail, and then only after specific permission has been obtained. Advance arrangements for entry into or navigation through or within any of the said defensive sea areas must be made, preferably by application at the appropriate United States Naval District Headquarters, in advance of sailing, or by radio or visual communication on approaching the seaward limits of the area.

If radio telegraph is used, the call "NQO" shall be made on a frequency of 500 kcs. and permission to enter the port shall be requested. The name of the vessel, purpose of entry, and name of the master must be given in the request. If visual communications are used, the procedure will be essentially the same.

A vessel entering or navigating the waters of any of the said defensive sea areas does so at its own risk.

Even though permission has been obtained, it is incumbent upon a vessel entering any one of the said defensive sea areas to obey any further instructions received from the United States Navy or other United States authority.

SUBJECT TO SUPERVISION

A vessel may expect supervision of its movements within any of the said defensive sea areas, either through surface craft or aircraft. Such control-

ling surface craft and aircraft shall be identified by a prominent display of the union jack.

These regulations are subject to amplification by the local United States naval authority as necessary to meet local circumstances and conditions.

When a United States maritime control area is established adjacent to or abutting upon any of the said described defensive sea areas, it shall be assumed that permission to enter, and other instructions issued by proper authority, shall apply to any one continuous passage through or within both areas.

Any master of a vessel or other person within any of the said defensive sea areas, who shall disregard these regulations, or shall fail to obey an order of United States naval authority to stop or heave to, or shall perform any act threatening the efficiency of mine or other defenses or the safety of navigation, or shall taken any action inimical to the interests of the United States, may be detained therein by force of arms and renders himself liable to attack by the armed forces of the United States, and liable to prosecution as provided in Section 44 of the Criminal Code, as amended (U. S. C. Title 18, Sec. 96).

All United States authorities shall place at the disposal of the Naval authorities their facilities for aiding in the enforcement of these regulations.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

Dec. 11, 1941.

XXVIII. ARGENTINE NON-BELLIGERENCY

(Dept. of State Bulletin, Vol. V, No. 130, Dec. 20, 1941)

The American Ambassador at Buenos Aires, Argentina, reported on December 13, 1941 the issuance on that date by the Argentine Government of a decree declaring that the United States is not considered as a belligerent by Argentina in the state of war existing between the United States and Germany and Italy. The decree stated:

"In view of the communications received from the Embassies of the United States of America, Germany and Italy regarding the state of war existing among these nations, considering the terms of the decree issued by this government by a general ministerial resolution of the 9th instant in view of the war into which that American country has been drawn as a result of the aggression carried out against it and in accordance with the declarations and agreements applicable to the case under the terms of which the Argentine position is defined within principles of continental unity, the Vice President of the Argentine Nation exercising executive power decrees—Article 1: The position established by decree on the 9th instant is hereby extended to the state of war existing between the United States of America and Germany and Italy in so far as it declares that the Republic does not consider the United States of America in the situation of a belligerent country and there are hereby applied to Germany and Italy the provisions of the decree of neutrality issued through a ministerial resolution on September 4th, 1939."

XXIX. DECLARATIONS OF WAR

(Dept. of State Bulletin, Vol. V, No. 130, Dec. 20, 1941 and Vol. VI, No. 137, Feb. 7, 1942)

Countries	Statement	Source
Germany and France-----	<p>"As a consequence of the aggression directed by Germany against Poland, a state of war is found to exist between France and Germany, commencing from September 3, 1939, 5 p. m."</p>	<p>Note addressed to foreign powers by the French Government on Sept. 3, 1939. Printed, in French, in the <i>Journal Officiel de la République Française, Lois et Décrets</i>, Sept. 4, 1939, p. 11086.</p>
Germany and Poland-----	<p>No record of a formal declaration of war has been found.</p>	
Germany and United Kingdom.	<p>"... unless not later than 11 a. m. British Summer Time, today 3rd September, satisfactory assurances to the above effect [that the German Government 'had suspended all aggressive action against Poland and were prepared promptly to withdraw their forces from Polish territory'] have been given by the German Government and have reached His Majesty's Government in London, a state of war will exist between the two countries as from that hour."</p>	<p>Telegraphic instruction from the British Secretary of State for Foreign Affairs to the British Ambassador to Germany. This instruction and the Prime Minister's speech are printed in British Command Paper 6106, Miscellaneous No. 9 (1939), entitled <i>Documents Concerning German-Polish Relations and the Outbreak of Hostilities Between Great Britain and Germany on September 3, 1939 (a British "Blue Book")</i>, pp. 175, 178.</p>
Germany and India-----	<p>"No such undertaking was received by the time stipulated, and, consequently, this country is at war with Germany."</p> <p>"I, Victor Alexander John, Marquess of Linlith-</p>	<p>British Prime Minister, in his speech of September 3, 1939 in the House of Commons.</p> <p>Proclamation of the Governor-General</p>

gow, Governor-General of India and *ex-officio* Vice-Admiral therein, being satisfied thereof by information received by me, do hereby proclaim that war has broken out between His Majesty and Germany."

Germany and Australia-----

"... I, Alexander Gore Arkwright, Baron Gowrie, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do hereby proclaim the existence of war.

"Given under my Hand and the Seal of the Commonwealth this third day of September in the year of Our Lord one thousand nine-hundred and thirty-nine and in the third year of His Majesty's reign.

Germany and New Zealand-----

"His Excellency the Governor-General has it in command from His Majesty the King to declare that a state of war exists between His Majesty and the Government of the German Reich, and that such state of war has existed from 9:30 p. m., New Zealand standard time, on the third day of September, 1939."

Germany and Union of South Africa.

"... I do by this my Proclamation in the name and on behalf of His Majesty the King declare and make known that from this the sixth day of September, 1939, the peaceful relations between the Union and the German Reich are severed and that the Union is, for the purposes of all laws, at war with the German Reich as from the aforementioned date."

of India, dated Sept. 3, 1939. Printed in *The Gazette of India Extraordinary*, Sept. 3, 1939.

Proclamation issued on Sept. 3, 1939. Printed in *The Commonwealth of Australia Gazette*, Sept. 3, 1939.

Statement by the Governor-General of New Zealand. Printed in *The New Zealand Gazette Extraordinary*, Sept. 4, 1939.

Proclamation by the Governor-General of the Union of South Africa. Printed in *The Union of South Africa Government Gazette Extraordinary*, Sept. 6, 1939.

Countries	Statement	Source
Germany and Canada-----	<p>"Now Therefore We do hereby Declare and Proclaim that a State of War with the German Reich exists and has existed in Our Dominion of Canada as and from the tenth day of September, 1939."</p> <p>No record of a formal declaration of war has been found.</p>	<p>Proclamation issued by the Prime Minister of Canada. Printed in <i>The Canada Gazette Extra</i>, Sept. 10, 1939.</p>
Germany and Norway-----	<p>"On the 9th April, 1940, at 5 a. m. the German Minister in Oslo, Dr. Bräuer, came to the Norwegian Ministry for Foreign Affairs and presented to the Minister, Professor Koht, a number of demands from his Government.</p> <p>"When Professor Koht had informed the Government [of Norway] of the contents of the German proposals or demands, they very quickly decided that no independent country could accept such demands. Professor Koht then informed the German Minister of his Government's decision and reminded him of a statement recently made by the German Führer, that a people who humbly submitted to an aggressor without the slightest resistance did not deserve to exist. And we, continued Professor Koht, will maintain and defend</p>	<p><i>The German Aggression on Norway:</i> Authorized English translation of the White Paper issued by the Norwegian Government on Apr. 14, 1940; published by His Majesty's Stationery Office, London, 1940, pp. 1, 5.</p>

our independence."

"The Nygaardsvold [Premier of Norway] Government through its proclamations and conduct as well as the military fighting that is taking place as a result of its will has created a state of war between Norway and the German Reich."

No record of a formal declaration of war has been found.

No record of a formal declaration of war has been found.

"Acting upon telegraphic instructions received from the Minister of Foreign Affairs at The Hague, through the intermediacy of the Netherlands Minister in London, I have the honor to inform Your Excellency that a state of war exists between the Netherlands and Germany." (May 10, 1940).

"Today at 4:30 P.M. [11:30 A.M., New York time]* Count Ciano, at Chigi Palace, told the Ambassador of France that His Majesty the King and Emperor of Italy declares that Italy considers herself at war with France, beginning tomorrow, June 11 [1940].

"At 4:45 P.M. Count Ciano called the Ambassador of Great Britain and handed him a statement couched in identical terms saying that Italy considers she is at a state of war with Great Britain."

Germany and Belgium-----

Germany and Luxembourg----

Germany and the Netherlands-

Italy, and France and United Kingdom.

Translation of the decree of the Führer for the Exercising of Governmental Authority in Norway, April 24, 1940, *Reichsgesetzblatt*, Teil 1, No. 74, p. 677 (Apr. 26, 1940).

Note of May 10, 1940 from the Minister of the Netherlands at Washington to the Secretary of State. (Files of the Department of State.)

Translation of a *communiqué* by the Italian Government. Printed in the *New York Times*, June 11, 1940, p. 2.

Countries	Statement	Source
Italy and Canada-----	<p>"Now, Therefore, we do hereby declare and proclaim that a State of War with Italy exists and has existed in Our Dominion of Canada as and from the tenth day of June, 1940."</p> <p>"Prime Minister Peter Fraser stated today that New Zealand was at war with Italy from 10:30 A. M., New Zealand time (7 P. M. Monday, New York time)."</p> <p>"... a state of war exists between His Majesty the King and the King of Italy as from 9 o'clock in the forenoon, reckoned according to standard time in the Australian Capital Territory, of 11th June, 1940."</p>	<p>Proclamation issued by the Prime Minister of Canada. Printed in <i>The Canada Gazette Extra</i>, June 11, 1940.</p> <p>An Associated Press despatch bearing a New Zealand date line, June 11, 1940. Printed in the <i>New York Times</i>, June 11, 1940, p. 2.</p> <p>Notification issued by the Prime Minister of Australia. Printed in <i>The Commonwealth of Australia Gazette, Special</i>, June 11, 1940.</p>
Italy and New Zealand-----	<p>"... I do by this my Proclamation, in the name and on behalf of His Majesty the King, declare and make known that from this, the eleventh day of June, 1940, the peaceful relations between the Union and Italy are severed and that the Union is, for the purposes of all laws, at war with Italy as from the aforementioned date."</p> <p>"... a state of war exists in Greece since October 28th of this year at 5:30 a. m. at which time Italy launched an unexpected attack against Greece."</p>	<p>Proclamation by the Governor-General of the Union of South Africa. Printed in <i>The Union of South Africa Government Gazette Extraordinary</i>, June 12, 1940.</p> <p>Translation of a note of Nov. 11, 1940 from the Greek Under Secretary of State for Foreign Affairs to the American Legation at Athens, as reported in a</p>
Italy and Union of South Africa.		
Italy and Greece-----		

Germany and Greece-----

No record of a formal declaration of war has been found.

"The various documents issued by the Foreign Office today [April 6, 1941] avoid any statement in the nature of declaration of war against Greece with the exception of the concluding sentence of a memorandum which was attached to the note handed the Greek Minister today. The memorandum concludes with this statement: 'The Reich Government can no longer close their eyes to the fact that Greece is making common cause with Britain and must therefore be regarded as Germany's enemy in the present war with all the consequences that this entails.' "

Germany and Yugoslavia-----

"Since early this morning the German people are at war with the Belgrade government . . . "

telegram of Nov. 12, 1940 from the Legation to the Department. (Files of the Department of State.)

Telegram of Apr. 6, 1941 from the American Chargé d'Affaires at Berlin. (Files of the Department of State.)

The text of the memorandum which is mentioned in the telegram appears in the *Berliner Montagspost*, Apr. 7, 1941 (No. 14), pp. 3-4.

Statement made in a speech by the German Führer, Apr. 6, 1941. Printed in the *Berliner Montagspost*, Apr. 7, 1941 (No. 14), p. 2.

Countries	Statement	Source
Italy and Yugoslavia-----	<p>No record of a formal declaration of war has been found.</p> <p>"During the night of March 27 Yugoslavia . . . passed immediately over to the enemies of the Axis. The Italian Government followed with great attention and the greatest calm the events that led Yugoslavia to unite herself with Great Britain and Greece and become, like Greece, a base of operations for the British forces in Europe.</p> <p>"In the light of this fact the Italian Government has decided to move with its military, naval and aerial forces in close collaboration with those of Germany."</p>	<p>Italian press despatch of Apr. 6, 1941. Printed in the <i>New York Times</i>, Apr. 7, 1941, p. 2.</p>
Bulgaria and Yugoslavia-----	<p>"At a meeting held on May 4, 1941 a resolution was passed by the Royal Yugoslav Government to the effect that, in view of the participation of Bulgaria and Hungary in the attack against Yugoslavia perpetrated by the Axis powers and in view of the participation of these countries in the dismemberment of the national territory of Yugoslavia, the Kingdom of Yugoslavia considers itself in a state of war—with Bulgaria as from April 6, 1941 and with Hungary from April 10 of this year."</p>	<p>Formal statement quoted in a note of June 5, 1941 addressed to the Secretary of State by the Minister of Yugoslavia at Washington under instructions from his Government. (Files of the Department of State.)</p>

"Bulgaria today [April 24, 1941] declared that a state of war existed in those areas of Greece and Yugoslavia occupied by Bulgarian troops."

"At a meeting held on May 4, 1941 a resolution was passed by the Royal Yugoslav Government to the effect that, in view of the participation of Bulgaria and Hungary in the attack against Yugoslavia perpetrated by the Axis powers and in view of the participation of these countries in the dismemberment of the national territory of Yugoslavia, the Kingdom of Yugoslavia considers itself in a state of war—with Bulgaria as from April 6, 1941 and with Hungary from April 10 of this year."

"Bulgaria today [April 24, 1941] declared that a state of war existed in those areas of Greece and Yugoslavia occupied by Bulgarian troops."

"At 5:30 A. M. [June 22, 1941]—that is, after the attack had already been perpetrated, Von der Schulenberg, the German Ambassador in Moscow, on behalf of his government made the statement to me as People's Commissar of Foreign Affairs to the effect that the German Government had decided to launch war against the Union of Soviet Socialist Republics in connection with the concentration of Red Army units near the eastern German frontier."

Press despatch from Sofia, Bulgaria, dated Apr. 24, 1941. Printed in the *New York Times*, Apr. 25, 1941, p. 5.

Formal statement quoted in a note of June 5, 1941 addressed to the Secretary of State by the Minister of Yugoslavia at Washington under instructions from his Government. (Files of the Department of State.)

Press despatch from Sofia, Bulgaria, dated Apr. 24, 1941. Printed in the *New York Times*, Apr. 25, 1941, p. 5.

Statement broadcast over the radio by the Soviet Commissar of Foreign Affairs, June 22, 1941, as translated by Tass, the Russian news agency. Printed in the *New York Times*, June 23, 1941, p. 10.

Hungary and Yugoslavia-----

Bulgaria and Greece-----

Germany and Union of Soviet
Socialist Republics

Countries	Statement	Source
Italy and Union of Soviet Socialist Republics.	<p>"For the purpose of the application of the laws in force, the Union of Soviet Socialist Republics is to be considered an enemy State as from 5:30 A. M., June 22, 1941-xix."</p>	<p>Translation of a <i>communiqué</i> issued by the Italian Presidency of the Council of Ministers. Printed in the <i>Gazzetta Ufficiale del Regno D'Italia</i>, June 23, 1941 (No. 145), p. 2477.</p>
Rumania and Union of Soviet Socialist Republics.	<p>No record of a formal declaration of war has been found.</p> <p>"... the Rumanian army is acting today [June 22, 1941] to liberate and recover Rumanian national patrimony overrun without justification by the unprovoked aggression of Communist Russia."</p> <p>No record of a formal declaration of war has been found.</p>	<p>Statement issued to the press by the Rumanian Chargé d'Affaires in the United States. Printed in the <i>New York Times</i>, June 23, 1941, p. 7.</p>
Finland and Union of Soviet Socialist Republics.	<p>"Citizens, centuries have shown that on the site on which fate has placed this nation, permanent peace cannot be achieved. The pressure of the East is always upon us. To reduce this pressure, destroy the eternal menace and secure a happy and peaceful life for coming generations, we now embark upon our defensive battle. Our confidence in our army and its Field Marshal, Baron Mannerheim, is absolute."</p> <p>"There is a state of war between Hungary and the Soviet Union because of the aerial attacks."</p>	<p>Translation of a statement by the President of Finland, June 26, 1941. Printed in the <i>New York Times</i>, June 27, 1941, p. 1.</p>
Hungary and Union of Soviet Socialist Republics.	<p>"There is a state of war between Hungary and the Soviet Union because of the aerial attacks."</p>	<p>Translation of a statement by the Premier and Foreign Minister of Hun-</p>

Albania and Union of Soviet
Socialist Republics.

Great Britain and Finland,
Rumania, and Hungary.

Canada and Finland, Ru-
mania, and Hungary.

Australia and Finland, Ru-
mania, and Hungary.

"Albania, an Italian protectorate, has announced she is at war with Russia, according to an official British radio report heard in New York early today by the National Broadcasting Company's station."

"His Majesty has found it necessary to declare that a state of war exists with Finland, Hungary, and Roumania as from 1:01 a. m. today, the 7th December."

"Now, Therefore, We do hereby declare and pro-claim that a State of War with Roumania, Hun-gary and Finland exists and has existed in Canada as and from the 7th day of December, 1941."

"His Majesty's Government in the Common-wealth of Australia has declared the existence of a state of war between Australia and Finland (Hungary, Roumania) as from 5 p. m. December 8th, 1941, Australian Eastern Standard Time."

gary, June 27, 1941. Printed in the
New York Times, June 28, 1941, p. 2.

New York Times, June 29, 1941, p. 3.

Note of December 7, 1941 from the
British Secretary of State for Foreign
Affairs to the American Embassy at
London, as reported in a telegram of
December 8, 1941 from the Embassy to
the Department of State. (Files of the
Department of State.)

Proclamation issued by the Prime
Minister of Canada. Printed in *The
Canada Gazette Extra*, Dec. 7, 1941.

Formal statement quoted in a note of
December 8, 1941, addressed to the
Secretary of State of the United States
by Australian Minister at Washington
under instructions from his Govern-
ment. (Files of the Department of
State.)

Countries	Statement	Source
Union of South Africa and Finland, Rumania, and Hungary.	<p>"On instructions from my Government I have the honour to inform you that as from the 8th December, 1941, a state of war will exist between the Union of South Africa and Finland, Roumania, and Hungary . . ."</p> <p>No record of New Zealand's formal declaration of war is as yet available in the Department of State.</p>	<p>Note of December 6, 1941 from the Minister of the Union of South Africa at Washington to the Secretary of State. (Files of the Department of State.)</p>
New Zealand and Finland, Rumania, and Hungary.	<p>"We, by grace of Heaven, Emperor of Japan . . . hereby declare war upon the United States of America and the British Empire." [December 7, 1941.]</p> <p>"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Imperial Government of Japan which has thus been thrust upon the United States States is hereby formally declared; . . ."</p>	<p>According to information in the files of the Department of State, New Zealand is at war with Finland, Rumania, and Hungary.</p> <p>Translation of a proclamation by the Emperor of Japan. Printed in the <i>New York Times</i>, Dec. 9, 1941, p. 28.</p>
Japan and the United States.	<p>"We, by grace of Heaven, Emperor of Japan . . . hereby declare war upon the United States of America and the British Empire." [December 7, 1941.]</p> <p>"The Cabinet, which met at 12:30 today [De-</p>	<p>Public Law 328, 77th Cong., approved Dec. 8, 1941, 4:10 p. m., E. S. T.</p> <p>Translation of a proclamation by the Emperor of Japan. Printed in the <i>New York Times</i>, Dec. 9, 1941, p. 28.</p> <p>Statement by the British Prime</p>

December 8, 1941], therefore authorized an immediate declaration of war upon Japan. Instructions to this effect were sent to His Majesty's Ambassador in Tokyo and a communication was dispatched to the Japanese Chargé d'Affaires at 1 o'clock today to this effect."

"Now, Therefore, We do hereby declare and proclaim that a State of War with Japan exists and has existed in Canada as and from the 7th day of December, 1941."

"... the Government of Costa Rica ... has today [December 8, 1941] at eleven o'clock declared the state of war between Costa Rica and Japan. ..."

"... the Government of the Dominican Republic, ... has declared war today [December 8] on the Empire of Japan ..."

"... Legislative Assembly of this Republic last night [December 8, 1941] declared a state of war between Guatemala and Japan ..."

"President Lescot of the Republic of Haiti declared war on Japan on December 8 with the unanimous approval of the National Assembly."

Minister December 8, 1941. Printed in the *New York Times*, Dec. 9, 1941, p. 1.

Proclamation issued by the Prime Minister of Canada. Printed in *The Canada Gazette Extra*, Dec. 8, 1941.

Telegram of December 9, 1941 from the Minister of Foreign Relations of Costa Rica to the Secretary of State. *Bulletin* of Dec. 13, 1941, pp. 490-491.

Note addressed to the Secretary of State by the Dominican Secretary of State for Foreign Relations. *Bulletin* of Dec. 13, 1941, p. 492.

Telegram of December 9, 1941 from the Guatemalan Minister of Foreign Affairs to the Secretary of State. *Bulletin* of Dec. 13, 1941, p. 494.

Bulletin of Dec. 13, 1941, p. 495.

Canada and Japan-----

Costa Rica and Japan-----

Dominican Republic and Japan-----

Guatemala and Japan-----

Haiti and Japan-----

Countries	Statement	Source
Honduras and Japan-----	"Honduran Congress declared war on Japan at 11:25 this morning [December 8, 1941]."	Telegram of December 8, 1941 from the American Minister at Tegucigalpa <i>Bulletin</i> of Dec. 13, 1941, p. 496.
El Salvador and Japan-----	"At 1 p. m. on December 8, 1941, the National Legislative Assembly unanimously declared El Salvador in a state of war with Japan . . ."	<i>Bulletin</i> of Dec. 13, 1941, p. 493.
Panama and Japan-----	"On December 8 [1941] the National Assembly voted resolution declaring state of war exists between Japan and Panama . . ."	<i>Bulletin</i> of Dec. 13, 1941, p. 500.
Cuba and Japan-----	"... yesterday [December 9, 1941] the Republic of Cuba declared war on Japan."	Telegram of December 10, 1941 from the Cuban Minister of Foreign Affairs to the Secretary of State. <i>Bulletin</i> of Dec. 13, 1941, p. 492.
Nicaragua and Japan-----	"The American Minister at Managua reported to the Department of State on December 11, 1941, that he had been informed that a formal declaration of war against Japan had been passed by Congress, signed by President Somoza, and would go into effect on that day."	<i>Bulletin</i> of Dec. 13, 1941, p. 499.
The Netherlands and Japan---	"In view of Japan's aggression against two powers with whom the Netherlands maintain particularly close relations, aggression directly threatening vital Netherlands interests, the Government of the Kingdom considers a state of war exists	Statement issued by the Netherlands Government, December 8, 1941. Printed in the <i>New York Times</i> , Dec. 8, 1941, p. 7.

The Netherlands Indies and Japan.	between the Netherlands and the Japanese Empire. [December 8, 1941.] "The Netherlands Indies Government today [December 8, 1941] declared war on Japan . . ."
China and Japan-----	"The Chinese Government hereby formally declares war on Japan [December 9, 1941]."
Union of South Africa and Japan.	"Proclamation published December nine declares existence of state of war between South Africa and Japan from December eight."
New Zealand and Japan-----	"New Zealand considers itself state of war with Japan. Decision taken by War Cabinet 11 a. m."
Australia and Japan-----	" . . . a state of war exists and has existed between His Majesty's Government in the Commonwealth of Australia and the Imperial Japanese Government as from 5 o'clock in the afternoon of the 8th December, 1941."
Free France and Japan-----	"Free France and all her territories in the Pacific are now at war with Japan. This decision emerged at a conference presided over by General de Gaulle."

Press despatch from Batavia, Netherlands Indies, dated December 8, 1941. Printed in the *New York Times*, Dec. 8, 1941, p. 7.

Text of Chinese declaration of war on Japan. *Bulletin* of Dec. 13, 1941, p. 507.

Telegram from the American Minister at Pretoria dated December 10, 1941. (Files of the Department of State.)

Telegram from American Consul General at Wellington dated December 8, 1941. (Files of the Department of State.)

Note of December 9, 1941 from the Australian Minister at Washington to the Secretary of State. (Files of the Department of State.)

Press despatch from London, dated December 8, 1941. Printed in the *New York Times*, Dec. 9, 1941, p. 18.

Countries	Statement	Source
Germany and the United States.	<p>"The German Government, . . . discontinues diplomatic relations with the United States of America and declares that . . . Germany . . . as from today [December 11, 1941], considers herself as being in a state of war with the United States of America."</p> <p>"<i>Resolved by the Senate and House of Representatives of the United States of America in Congress assembled</i>, That the state of war between the United States and the Government of Germany which has thus been thrust upon the United States is hereby formally declared; . . ."</p>	<p>Note addressed by the German Reich to the American Chargé d'Affaires at Berlin, December 11, 1941. <i>Bulletin of Dec. 13, 1941</i>, pp. 481-482.</p>
Italy and the United States.	<p>"The Italian Foreign Minister, Count Ciano, sent for the American Chargé d'Affaires, Mr. George Wadsworth, at Rome at 2:30 the afternoon of December 11, and when Mr. Wadsworth arrived at his office Count Ciano informed him that as of December 11, 1941 Italy considers itself at war with the United States."</p> <p>"<i>Resolved by the Senate and House of Representatives of the United States of America in Congress assembled</i>, That the state of war between the United States and the Government of Italy which has thus been thrust upon the United States is hereby formally declared; . . ."</p>	<p>Public Law 331, 77th Cong.; approved, Dec. 11, 1941, 3:05 p. m., E. S. T.</p> <p><i>Bulletin of Dec. 13, 1941</i>, p. 482.</p> <p>Public Law 332, 77th Cong.; approved, Dec. 11, 1941, 3:06 p. m., E. S. T.</p>

Costa Rica, and Germany and Italy.

Guatemala, and Germany and Italy.

China, and Germany and Italy.

Cuba, and Germany and Italy.

Nicaragua, and Germany and Italy.

Haiti, and Germany and Italy.

"The President of Costa Rica on December 11, 1941, informed the American minister at San José that he had on that day signed a decree declaring a state of war between Costa Rica and Germany and Italy."

"... yesterday [December 11, 1941] the Legislative Assembly issued Decree no. 2564 which declares the existence of the state of war between Guatemala and the German Reich and the Kingdom of Italy..."

"The Chinese Government hereby declares that as from midnight of December 9, 1941, a state of war exists between China and Germany and between China and Italy."

"... the Cuban Congress passed a declaration of war upon Germany and Italy during an evening session on December 11, 1941."

"The American Minister at Managua reported on December 11, 1941 that he had been informed by the President and by the Minister of Foreign Affairs that a decree effective on that day declared war on Germany and Italy."

"... the Republic of Haiti declared war on Germany and Italy on December 12, 1941."

Bulletin of Dec. 13, 1941, p. 491.

Telegram of December 12, 1941 from the Guatemalan Minister of Foreign Affairs to the Secretary of State. *Bulletin* of Dec. 13, 1941, p. 495.

Text of Chinese declaration of war on Germany and Italy. *Bulletin* of Dec. 13, 1941, p. 506.

Bulletin of Dec. 13, 1941, p. 492.

Bulletin of Dec. 13, 1941, p. 499.

Bulletin of Dec. 13, 1941, p. 495.

Countries	Statement	Source
Honduras, and Germany and Italy.	" . . . The National Congress of Honduras at the request of the executive power, by decree dated today [December 12, 1941], has declared war on the Government of the German Reich and Italy."	Telegram of December 13, 1941 from the Honduran Minister of Foreign Relations to the Secretary of State. <i>Ante</i> , p. 548.
Panama, and Germany and Italy.	" . . . acting under authority of a law voted on December 10 [1941], the Panamanian Government shortly before noon on December 12 issued a decree signed by the President and his full Cabinet declaring a state of war between Panama and Germany and Italy."	<i>Bulletin</i> of Dec. 13, 1941, p. 500.
El Salvador, and Germany and Italy.	" . . . the National Legislative Assembly at the request of the Executive power today [December 13, 1941] declared the Republic of El Salvador in a state of war with Germany and Italy . . ."	Telegram of December 13, 1941 from the Salvadoran Minister of Foreign Affairs to the Secretary of State. <i>Bulletin</i> of Dec. 13, 1941, p. 494.
Poland and Japan-----	" . . . following a Cabinet meeting on December 11, 1941 the President of Poland decreed that a state of war exists between Poland and Japan as of December 11, 1941."	<i>Bulletin</i> of Dec. 13, 1941, p. 507.
Bulgaria, and the United States and the United Kingdom.	" . . . the Bulgarian Government had just declared to Parliament that in accordance with article 3 of the Tripartite Pact, Bulgaria is in a state of war with England and the United States." [December 13, 1941.]	<i>Bulletin</i> of Dec. 13, 1941, p. 483.

Rumania and the United States

"The Royal Rumanian Government . . . is in a state of war with the United States of America [December 12, 1941]."

Hungary and the United States

"The American Minister at Budapest has informed the Department that the Hungarian Prime Minister informed him at 5:30 p. m., December 13, that Hungary considers war to exist between Hungary and the United States."

Dominican Republic, and Germany and Italy.

Telegram of December 12, 1941 from the Dominican Secretary for Foreign Relations to the Secretary of State. *Ante*, p. 547.

Czechoslovakia and other countries.

"... the American Minister at London accredited to the Czechoslovak Provisional Government . . . has received a note dated December 16, 1941 from the Czechoslovak Acting Foreign Minister enclosing a decree issued by President Beneš on December 16 which proclaimed that the Czechoslovak Republic is in a state of war with all countries which are in a state of war with Great Britain, the U.S.S.R., or the United States of America."

Albania and the United States.

Press despatch from Bern, Switzerland, dated December 17, 1941. Printed in the *New York Times*, Dec. 18, 1941, p. 6.

Translation of a note of December 12, 1941 from the Rumanian Government to the American Legation at Bucharest. *Bulletin* of Dec. 13, 1941, p. 483. *Bulletin* of Dec. 13, 1941, p. 482.

Telegram of December 12, 1941 from the Dominican Secretary for Foreign Relations to the Secretary of State. *Ante*, p. 543.

Countries	Statement	Source
Nicaragua and Bulgaria, Hungary, and Rumania.	"I have been officially informed this morning (December 20, 1941) that Nicaragua has declared war on Rumania, Hungary, Bulgaria."	Telegram of December 20, 1941, from the American Minister at Managua. (Files of the Department of State.)
Belgium and Japan, Germany, and Italy	"... the Belgian Government . . . has proclaimed that a state of war exists between Belgium and Japan, as it already exists with Germany and Italy."	Note of December 20, 1941, from the Belgian Ambassador at Washington to the Secretary of State. (Files of the Department of State.)
Haiti and Bulgaria, Hungary, and Rumania.	"... the Republic of Haiti has declared war on Hungary, Bulgaria and Rumania this morning [December 24, 1941] at 11:30."	Note of December 24, 1941, from the Minister of Foreign Affairs of Haiti to the American Minister at Port-au-Prince. (Files of the Department of State.)
Great Britain and Bulgaria----	"... state of war exists with Bulgaria as from the 13th December 1941."	British Foreign Office circular note of December 27, 1941, as quoted in part in a telegram of December 29 from the American Embassy at London to the Secretary of State. (Files of the Department of State.)
Netherlands and Italy-----	"Acting upon instructions received from the Netherlands Minister for Foreign Affairs, I have the honor to inform you that . . . the Netherlands Government considers herself at war with Italy as per December 11, 1941."	Note of December 30, 1941, from the Minister of the Netherlands at Washington to the Secretary of State. (Files of the Department of State.)

Union of South Africa and
Bulgaria.

Yugoslavia and Japan-----

"On instructions from my Government I have the honour to inform you that, as from 13th December, 1941, a state of war exists between the Union of South Africa and Bulgaria, . . ."

"I have been instructed by my Government to inform Your Excellency that the Royal Yugoslav Government has decided the following on January 13, 1942:

"The Kingdom of Yugoslavia breaks all her relations with Japan and proclaims that she is in a state of war with that power from December 7, 1941, when Japan has attacked the United States of America and Great Britain."

Thailand, and Great Britain
and United States.

"Ministry [of] Foreign Affairs [of Thailand] notified Consulate by letter twenty-fifth January 'by royal command a declaration of war on Great Britain and the United States of America has been made as from noon of Twenty-fifth January 2485 B E.'"

New Zealand and Finland-----

"His Excellency the Governor General has it in command from His Majesty the King to declare that a state of war exists between His Majesty and the Government of the Republic of Finland, and that such state of war has existed from one minute past noon, New Zealand summer time, on the 7th day of December, 1941."

Note of December 31, 1941, from the Minister of the Union of South Africa at Washington to the Secretary of State. (Files of the Department of State.)

Note of January 19, 1942, from the Minister of Yugoslavia at Washington to the Secretary of State. (Files of the Department of State.)

Telegram from the Swiss Consul at Bangkok, as quoted in a Swiss Foreign Office note of January 31, 1942, to the American Legation at Bern and reported in a telegram of February 2, 1942 from the Legation to the Department. (Files of the Department of State.)

Proclamation issued by the Governor-General of New Zealand. Printed in *The New Zealand Gazette Extraordinary*, December 8, 1941.

Countries	Statement	Source
New Zealand and Hungary	<p>"His Excellency the Governor-General has it in command from His Majesty the King to declare that a state of war exists between His Majesty and the Regent and Government of Hungary, and that such state of war has existed from one minute past noon, New Zealand summer time, on the 7th day of December, 1941."</p>	Proclamation issued by the Governor-General of New Zealand. Printed in <i>The New Zealand Gazette Extraordinary</i> , December 8, 1941.
New Zealand and Rumania	<p>"His Excellency the Governor-General has it in command from His Majesty the King to declare that a state of war exists between His Majesty and the King of Rumania, and that such state of war has existed from one minute past noon, New Zealand summer time, on the 7th day of December, 1941."</p>	Proclamation issued by the Governor-General of New Zealand. Printed in <i>The New Zealand Gazette Extraordinary</i> , December 8, 1941.
El Salvador, and Germany and Italy.	<p>"... the National Legislative Assembly at the request of the Executive power today [December 12, 1941] declared the Republic of El Salvador in a state of war with Germany and Italy. . . ."</p>	Telegram of December 12, 1941 from the Salvadoran Minister of Foreign Affairs to the Secretary of State. (Files of the Department of State.)

XXX. JOINT DECLARATION BY UNITED NATIONS, JAN. 1, 1942

(Dept. of State Bulletin, Vol. VI, No. 132, Jan. 3, 1942)

DECLARATION BY UNITED NATIONS:

A Joint Declaration by The United States of America, The United Kingdom of Great Britain and Northern Ireland, The Union of Soviet Socialist Republics, China, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Greece, Guatemala, Haiti, Honduras, India, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, South Africa, Yugoslavia.

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter,

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world, *Declare:*

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to cooperate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

Done at WASHINGTON,
January First, 1942.

XXXI. SUPREME COMMANDS IN THE SOUTH- WEST PACIFIC AREA

(Dept. of State Bulletin, Vol. VI, No. 132, Jan. 3, 1942)

1. As a result of proposals put forward by the United States and British Chiefs of Staff, and of their recommendations to President Roosevelt and to the Prime Minister, Mr. Churchill, it is announced that, with the concurrence of the Netherlands Government and of the Dominion Governments concerned, a system of unified command will be established in the southwest Pacific area.

2. All the forces in this area—sea, land, and air—will operate under one Supreme Commander. At the suggestion of the President, in which all concerned have agreed, General Sir A. Wavell has been appointed to this command.

3. Major General George H. Brett, Chief of the Air Corps of the U. S. Army, will be appointed Deputy Supreme Commander. He is now in the Far East. Under the direction of General Wavell, Admiral Thomas C. Hart, U. S. Navy, will assume command of all naval forces in the area. General

Sir Henry Pownall will be Chief of Staff to General Wavell.

4. General Wavell will assume his command in the near future.

5. At the same time, His Excellency Generalissimo Chiang Kai-shek has accepted the Supreme Command over all land and air forces of the United Nations which are now or may in the future be operating in the Chinese theater, including initially such portions of Indo-china and Thailand as may become available to troops of the United Nations. United States and British representatives will serve on his joint headquarters planning staff.

XXXII. COMBINED BRITISH-AMERICAN RAW MATERIALS, MUNITIONS, AND SHIPPING BOARDS

(Dept. of State Bulletin, Vol. VI, No. 136, Jan. 31, 1942)

To further coordination of the United Nations war effort, the President and Prime Minister Churchill have set up three boards to deal with munition assignments, shipping adjustment, and raw materials. The functions of these boards are outlined in the following statements.

Members of the boards will confer with representatives of the Union of Soviet Socialist Republics, China, and such other of the United Nations as are necessary to attain common purposes and provide for the most effective utilization of the joint resources of the United Nations.

COMBINED RAW MATERIALS BOARD

A planned and expeditious utilization of the raw material resources of the United Nations is neces-

sary in the prosecution of the war. To obtain such a utilization of our raw material resources in the most efficient and speediest possible manner, we hereby create the "Combined Raw Materials Board".

This Board will:

(a) Be composed of a representative of the British Government and a representative of the United States Government. The British member will represent and act under the instruction of the Minister of Supply. The Board shall have power to appoint the staff necessary to carry out its responsibilities.

(b) Plan the best and speediest development, expansion and use of the raw material resources, under the jurisdiction or control of the two Governments, and make the recommendations necessary to execute such plans. Such recommendations shall be carried out by all parts of the respective Governments.

(c) In collaboration with others of the United Nations work toward the best utilization of their raw material resources, and, in collaboration with the interested nation or nations, formulate plans and recommendations for the development, expansion, purchase, or other effective use of their raw materials.

MUNITIONS ASSIGNMENTS BOARD

1. The entire munition resources of Great Britain and the United States will be deemed to be in a common pool, about which the fullest information will be interchanged.

2. Committees will be formed in Washington and London under the Combined Chiefs of Staff in a manner similar to the South-West Pacific Agreement. These Committees will advise on all assignments both in quantity and priority, whether to Great Britain and the United States or other of the United Nations in accordance with strategic needs.

3. In order that these Committees may be fully apprised of the policy of their respective Governments, the President will nominate a civil Chairman who will preside over the Committee in Washington, and the Prime Minister of Great Britain will make a similar nomination in respect of the Committee in London. In each case the Committee will be assisted by a Secretariat capable of surveying every branch and keeping in touch with the work of every subcommittee as may be necessary.

4. The Civilian Chairmen in Washington and London may invite representatives of the State Department, the Foreign Office or production ministries or agencies to attend meetings.

COMBINED SHIPPING ADJUSTMENT BOARD

1. In principle, the shipping resources of the two countries will be deemed to be pooled. The fullest information will be interchanged.

2. Owing to the military and physical facts of the situation around the British Isles, the entire movement of shipping now under the control of Great Britain will continue to be directed by the Ministry of War Transport.

3. Similarly, the appropriate Authority in the United States will continue to direct the movement

and allocations of United States shipping, or shipping of other Powers under United States control.

4. In order to adjust and concert in one harmonious policy the work of the British Ministry of War Transport and the shipping authorities of the United States Government, there will be established forthwith in Washington a combined shipping adjustment board, consisting of a representative of the United States and a representative of the British Government, who will represent and act under the instructions of the British Minister of War Transport.

5. A similar adjustment board will be set up in London consisting of the Minister of War Transport and a representative of the United States Government.

6. In both cases the executive power will be exercised solely by the appropriate shipping agency in Washington and by the Minister of War Transport in London.

XXXIII. THIRD MEETING OF AMERICAN MINISTERS OF FOREIGN AFFAIRS

(Dept. of State Bulletin, Vol. VI, No. 137, Feb. 7, 1942)

As a result of its deliberations the Third Meeting of Ministers of Foreign Affairs of the American Republics approved the following conclusions:

I. BREAKING OF DIPLOMATIC RELATIONS

I. The American Republics reaffirm their declaration to consider any act of aggression on the part of a non-American State against one of them as an act of aggression against all of them, constituting

as it does an immediate threat to the liberty and independence of America.

II. The American Republics reaffirm their complete solidarity and their determination to cooperate jointly for their mutual protection until the effects of the present aggression against the Continent have disappeared.

III. The American Republics, in accordance with the procedures established by their own laws and in conformity with the position and circumstances obtaining in each country in the existing continental conflict, recommend the breaking of their diplomatic relations with Japan, Germany and Italy, since the first-mentioned State attacked and the other two declared war on an American country.

IV. Finally, the American Republics declare that, prior to the reestablishment of the relations referred to in the preceding paragraph, they will consult among themselves in order that their action may have a solidary character.

XXXIV. COMBINED STAFF CHIEFS PLAN

(War Dept. press release, Feb. 6, 1942)

The "combined chiefs of staff group" has been established by the United States and Great Britain to insure complete coordination of the war effort of these two nations, including the production and distribution of their war supplies, and to provide for full British and American collaboration with the United Nations now associated in prosecution of the war against the Axis powers. The combined chiefs of staff as representatives of the United States and British military and naval

effort, have two principal subdivisions—one is of the United States chiefs of staff, the other the British chiefs of staff.

United States membership of the combined chiefs of staff consists of:

Admiral Harold R. Stark, chief of naval operations.

General George C. Marshall, chief of staff, United States Army.

Admiral E. J. King, commander in chief, United States Fleet.

Lieut. Gen. H. H. Arnold, chief of Army air forces.

The British chiefs of staff are represented in Washington by:

Field Marshal Sir John Dill (until recently chief of staff of the Imperial general staff).

Admiral Sir Charles Little.

Lieut. Gen. Sir Colville Wemyss.

Air Marshal A. T. Harris.

They are in constant communication with Admiral Sir Dudley Pound, General Sir Alan Brooke, and Air Chief Marshal Sir Charles Portal, the British chiefs of staff in London.

SECRETARIES NAMED FOR GROUP

Brig. Gen. W. B. Smith, formerly secretary of the War Department general staff, has been designated as United States secretary of the combined chiefs of staff and also as secretary for the joint board, and for many other boards and agencies established by the United States War and Navy Departments to insure coordination and unity in major strategical direction and military operations.

General Smith's staff of assistants, initially about eight officers, will be selected from officers of the United States Army and United States Navy.

The British secretary of the combined chiefs of staff will be Brigadier V. Dykes, who served for some years as the secretary of the Committee of Imperial Defense and War Cabinet in London. He will be assisted by officers of the British Navy, Army, and Royal Air Force.

While the action of the combined chiefs of staff on broad strategical questions will be in the form of joint recommendations to the heads of their respective governments, in minor and immediate matters relating to current operations they are prepared to take action without delay. The setup therefore amounts to a combined command post for the conduct of all joint operations of the two governments in the war. It will be the control agency for planning and coordinating.

LIAISON FOR UNITED NATIONS

In addition, it will provide a medium for adjusting such joint operations as involve other governments of the United Nations, such as China, the Netherlands East Indies, Australia and New Zealand at the present moment. The representatives of these governments will participate with the combined Chiefs of Staff in the consideration of matters concerning their national interests.

The organization described is being established in the Public Health Building on Constitution Avenue, directly opposite the War Department.

In addition, a most important factor in this setup will be the *Munitions Assignments Board*, of

which Mr. Harry Hopkins is the chairman and *Major Gen. James H. Burns, the executive*, and which has its counterpart in London, both with British and United States membership. These proposals of these committees will be submitted to the combined Chiefs of Staff for their recommendation to the heads of their governments.

Mr. Hopkins's committee will also be established in the Public Health Building. In the same building will be representatives of the central agency to allocate shipping and of the agency to allocate raw material. Officers of other governments of the United Nations will be established in the same building.

XXXV. COORDINATION OF BRITISH AND AMERICAN ECONOMIC WARFARE PROCEDURES

(Dept. of State Bulletin, Vol. VI, No. 138, Feb. 14, 1942)

Arrangements have been made between the Governments of the United States and the United Kingdom for the coordination and simplification of their respective economic warfare procedures.

Heretofore it has been necessary for exporters sending goods from the United States to certain countries in Europe, Africa, and the Near East, or to their colonial possessions, to obtain two documents—an American export license and a British navicert. On April 1, 1942 a new arrangement will come into effect under which only one document, the American export license, need be obtained. British consuls in the United States will not issue navicerts for exports to be shipped from this country after April 1.

Export licenses issued by the Board of Economic Warfare before March 1 will be invalid after April 10, whether shipment is by freight, parcel post, or mail, to the following destinations: French West Africa, French North Africa, Iran, Iraq, Eire, Liberia, Madagascar, Portugal, Portuguese Atlantic islands, Portuguese Guinea, Reunion, Spain, Syria, Spanish Atlantic islands, Spanish Morocco and Tangier, Sweden, Switzerland, and Turkey.

Applications for export licenses for goods to be exported to these destinations after April 1 will be received by the Board of Economic Warfare on and after March 1. Under the new procedure export licenses for these destinations will be issued on a quarterly basis. Detailed regulations are being issued by the Board of Economic Warfare to which all inquiries should be addressed.

Beginning April 1 certificates fulfilling the purpose now fulfilled by ship navicerts will be issued by United States collectors of customs to vessels leaving United States ports. Issuance of ship navicerts by British consular officers will accordingly be discontinued as of that date.

XXXVI. U. S. ASSISTANCE IN DEFENSE OF CURAÇAO AND ARUBA

(Dept. of State Bulletin, Vol. VI, No. 138, Feb. 14, 1942)

The United States Government at the request of the Netherlands Government has sent a contingent of the United States Army to Curaçao and Aruba to assist the Dutch armed forces in the defense of these islands and the oil refineries thereon, which are vital to the war effort of

the United Nations and to the defense of the Western Hemisphere.

The United States forces will operate under the general supervision of the Governor of Curaçao and will be withdrawn upon the termination of the emergency.

It is understood furthermore that the Venezuelan and the Netherlands Governments have reached an agreement whereby the former will cooperate in this defense measure in a manner similar to that agreed upon between the Governments of Brazil and the Netherlands in the case of Surinam.

The Government of Venezuela has indicated its whole-hearted approval of these emergency measures.

The governments of the American republics are being notified of the foregoing arrangements, which have been reached in the interests of all.

XXXVII. MASTER LEND-LEASE AGREEMENT WITH BRITAIN

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND GREAT BRITAIN ON THE PRINCIPLES APPLYING TO MUTUAL AID IN THE PROSECUTION OF WAR AGAINST AGGRESSION

(Dept. of State Bulletin, Vol. VI, No. 140, Feb. 28, 1942)

Whereas the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland declare that they are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations;

And whereas the President of the United States of America has determined, pursuant to the Act of Congress of March 11, 1941, that the defense of the United Kingdom

against aggression is vital to the defense of the United States of America;

And whereas the United States of America has extended and is continuing to extend to the United Kingdom aid in resisting aggression;

And whereas it is expedient that the final determination of the terms and conditions upon which the Government of the United Kingdom receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the defense aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the United States of America and the United Kingdom and will promote the establishment and maintenance of world peace;

And whereas the Governments of the United States of America and the United Kingdom are mutually desirous of concluding now a preliminary agreement in regard to the provision of defense aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions and the making of such an agreement has been in all respects duly authorized, and all acts, conditions and formalities which it may have been necessary to perform, fulfil or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of the United Kingdom have been performed, fulfilled or executed as required;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

The Government of the United States of America will continue to supply the Government of the United Kingdom with such defense articles, defense services, and defense information as the President shall authorize to be transferred or provided.

ARTICLE II

The Government of the United Kingdom will continue to contribute to the defense of the United States of America

and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply.

ARTICLE III

The Government of the United Kingdom will not without the consent of the President of the United States of America transfer title to, or possession of, any defense article or defense information transferred to it under the Act or permit the use thereof by anyone not an officer, employee, or agent of the Government of the United Kingdom.

ARTICLE IV

If, as a result of the transfer to the Government of the United Kingdom of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of the United Kingdom will take such action or make such payment when requested to do so by the President of the United States of America.

ARTICLE V

The Government of the United Kingdom will return to the United States of America at the end of the present emergency, as determined by the President, such defense articles transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

ARTICLE VI

In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Government of the United

Kingdom subsequent to March 11, 1941, and accepted or acknowledged by the President on behalf of the United States of America.

ARTICLE VII

In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom in return for aid furnished under the Act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and the United Kingdom, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 12, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded Governments.

ARTICLE VIII

This agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Signed and sealed at Washington in duplicate this 23rd day of February, 1942.

XXXVIII. FRENCH ISLAND POSSESSIONS IN THE PACIFIC

(Dept. of State Bulletin, Vol. VI, No. 141, March 7, 1942)

The text of a statement made by the American Vice Consul at Nouméa to the High Commissioner of New Caledonia and made public by the latter on February 28, 1942 follows:

"The policy of the Government of the United States as regards France and French territory has been based upon the maintenance of the integrity of France and of the French Empire and of the eventual restoration of the complete independence of all French territories. Mindful of its traditional friendship for France, this Government deeply sympathizes not only with the desire of the French people to maintain their territories intact but with the efforts of the French people to continue to resist the forces of aggression. In its relations with the local French authorities in French territories the United States has been and will continue to be governed by the manifest effectiveness with which those authorities endeavor to protect their territories from domination and control by the common enemy.

"With the French authorities in effective control of French territories in the Pacific this Government has treated and will continue to treat on the basis of their actual administration of the territories involved. This Government recognizes, in particular, that French island possessions in that area are under the effective control of the French National Committee established in London and the United States authorities are cooperating for the defense of these islands with the authorities established by the French National Committee and with no other French authority. This Government appreciates the importance of New Caledonia in the defense of the Pacific area."

XXXIX. ANGLO-AMERICAN CARIBBEAN COMMISSION

(Dept. of State Bulletin, Vol. VI, No. 142, March 14, 1942)

The following joint *communiqué* was released simultaneously in London and in Washington:

“For the purpose of encouraging and strengthening social and economic cooperation between the United States of America and its possessions and bases in the area known geographically and politically as the Caribbean, and the United Kingdom and the British colonies in the same area, and to avoid unnecessary duplication of research in these fields, a commission, to be known as the Anglo-American Caribbean Commission, has been jointly created by the two Governments. The Commission will consist of six members, three from each country, to be appointed respectively by the President of the United States and His Majesty’s Government in the United Kingdom—who will designate one member from each country as a co-chairman.

“Members of the Commission will concern themselves primarily with matters pertaining to labor, agriculture, housing, health, education, social welfare, finance, economics, and related subjects in the territories under the British and United States flags within this territory, and on these matters will advise their respective Governments.

“The Anglo-American Caribbean Commission in its studies and in the formulation of its recommendations will necessarily bear in mind the desirability of close cooperation in social and economic matters between all regions adjacent to the Caribbean.

"The following appointments of co-chairmen have been made:

"For Great Britain:

"Sir FRANK STOCKDALE

"For the United States:

"CHARLES W. TAUSSIG

"The remaining members of the Commission will be named later by the Governments concerned."

In addition to naming Mr. Charles W. Taussig, of New York, as co-chairman for the United States of the Anglo-American Caribbean Commission, the President has selected as the other two American members of the Commission the Honorable Rexford G. Tugwell, Governor of Puerto Rico, and Mr. Coert du Bois, Chief of the Caribbean Office of the Department of State.

He has also named as a Caribbean Advisory Committee Governor Tugwell and the Honorable Martin Travieso, Justice of the Supreme Court of Puerto Rico; Judge William H. Hastie, Civilian Aide to the Secretary of War; and Mr. Carl Robins, of California, formerly President of the Commodity Credit Corporation, together with Mr. Charles W. Taussig, who is also chairman of this Committee.

The study to be undertaken by the Caribbean Advisory Committee relates to the economic and social problems of the very large number of human beings in the British and American islands. The study is intended to improve the standards of living in all of the islands concerned.

It is, of course, clear that neither the Anglo-American Caribbean Commission nor the President's Caribbean Advisory Committee has any authority other than the formulation of recommen-

dations to be submitted, in the first instance, to the American and British Governments, and in the second instance, to the President.

XL. COOPERATION WITH FRENCH NATIONAL COMMITTEE REGARDING TERRITORIES IN AFRICA

(Dept. of State Bulletin, Vol. VI, No. 145, April 4, 1942)

In view of the importance of French Equatorial Africa in the united war effort, the decision has been taken to establish an American Consulate General at Brazzaville, the capital of French Equatorial Africa. Arrangements are under way with the appropriate authorities looking to the establishment of this office and to the appointment of Mr. Maynard Barnes, American Foreign Service officer, as Consul General. Mr. Barnes will proceed to Brazzaville at the expiration of leave of absence in the United States. In the meanwhile, Mr. Laurence Taylor, who has recently returned from French Equatorial Africa, will proceed to Brazzaville to establish the office.

As has been previously stated, this Government has treated with the French authorities in effective control of French territories in Africa and will continue to treat with them on the basis of their actual administration of the territories involved. The French territories of Equatorial Africa and the French Cameroons are under the effective control of the French National Committee established in London, and the United States authorities are co-operating on matters relating to these territories with the authorities established by the French National Committee.

XLI. ARREST BY JAPANESE OF AMERICAN OFFICERS IN INDOCHINA

(Dept. of State Bulletin, Vol. VI, No. 146, April 11, 1942)

The French Foreign Office on about March 28 informed the American Ambassador at Vichy, Admiral William D. Leahy, that the following information had been received from the Governor General of Indochina.

A captain, an aviation lieutenant, and three aviation sergeant mechanics of the American Army in a large American launch (15 by 3 meters) on March 22 arrived at a point close to a lighthouse in Tourane Bay. The captain remained in the launch, but the other four were arrested by Japanese troops and sent to Japanese barracks near by. The Governor General instructed the French Resident to take possession of the launch and to intern the commanding officer. At the same time the Governor General requested the Japanese mission to turn over the four Americans to French authorities. The Japanese, over French protest, seized the launch and arrested the captain. The Governor General has made numerous *démarches* to the Japanese authorities but up to the time of reporting had been unable to obtain the release of the captured Americans to French jurisdiction. He was continuing his efforts.

The Department of State has instructed Ambassador Leahy to urge the French Government to continue its efforts to cause the surrender of the five Americans to the French authorities.

XLII. SOUTHWEST PACIFIC COMMAND

(New York Times, April 20, 1942)

The Southwest Pacific Command of the United Nations came into final being today with General Douglas MacArthur in the position of Commander in Chief operating from headquarters in Australia.

Together with the announcement of General MacArthur's directive as supreme commander came an announcement of instructions to him by the United Nations to "prepare to take the offensive against Japan."

The final organization of the command and the assumption of supreme direction of the military forces in the Southwest Pacific area by General MacArthur became known in Australia through an announcement from the United States headquarters and a statement by John Curtin, Australian Prime Minister.

The announcements reveal that General MacArthur is in command of land, sea and air forces in the Southwest Pacific area but they do not define its geographical limits. New Zealand was not mentioned in the announcement of the United States headquarters.

The Philippines are included in the area and it is presumed that it also incorporates the Netherlands Indies. The United States headquarters said:

"By agreement among the governments of Australia, the United Kingdom, the Netherlands and the United States the Southwest Pacific area has been constituted, effective from midnight Saturday night. General MacArthur formally assumes command by virtue of that authority."

The announcement then detailed commands that had been set up in the area together with the officers in charge of them.

Mr. Curtin's announcement said that as from midnight last night the government of Australia assigned to the command General MacArthur, Commander in Chief of the Southwest Pacific area. All combat sections of the Australian defense forces. Mr. Curtin stated that from midnight last night all orders issued by the Commander in Chief would be considered by the commanders of the Australian forces as emanating from the commonwealth government. He added that it would not be in the public interest to disclose the strength of the forces that had passed to General MacArthur.

Details of the Southwest Pacific Command were contained in a letter to General MacArthur from Mr. Curtin, which the Premier released today together with a statement that it had been written on receipt of an advice from Herbert V. Evatt, special Australian envoy to Washington, that General MacArthur's directive had been approved by President Roosevelt.

Stating that he had directed the Australian Government's advisers to submit to General MacArthur a statement of the Australian forces assigned to him, Mr. Curtin said:

"You have received a charter as supreme commander, not from your own government alone, but also from the governments of the United Kingdom, Australia, New Zealand and the Netherlands.

"At the request of a sovereign State you are being placed in supreme command of its navy, army and air forces so that with those of your own great nation they may be

welded into a homogeneous force and given that unified direction which is so vital for the achievement of victory.

"Your directive, among other things, instructs you to prepare to take the offensive. I would assure you of every possible support that can be given you by the government and people of Australia in making Australia secure as a base of operations in assisting you to marshal the strength required to wrest the initiative from the enemy and in joining with you in ultimate offensive to bring about the total destruction of the common foe."

The United States headquarters announcement said General MacArthur had appointed General Sir Thomas Blamey of the Australian Army commander of the Allied land forces in the Southwest Pacific area; Lieut. Gen. George H. Brett, commander of the Air Forces; Vice Admiral Herbert Leary, commander of the naval forces; Lieut. Gen. Jonathan M. Wainwright, commander of the United States forces in the Philippines, and Major Gen. Julian F. Barnes of the United States Army, commander of the United States Army forces in Australia.

Today's announcement here merely regularized and formalized a situation that has actually existed for some weeks. Excepting that he lacked directives and clarifying instructions regarding the scope and aim of his duties, General MacArthur has been in command here since he arrived from the Philippines. The subordinate commands were also selected some weeks ago by General MacArthur in agreement and consultation with the Australian and United States Governments, and the names made public.

General MacArthur's headquarters' spokesman today declined to say from where the General's di-

rective had come. He also refused to comment on whether or not New Zealand was included in General MacArthur's command.

A United States Army spokesman declined to comment on the details of General MacArthur's directive, but Mr. Curtin's reference to the fact that it contains instructions to prepare to take the offensive drew immediate attention.

Within the scope of these instructions, General MacArthur's task is seen to be to continue building up the strength of Australia and other points in his area and to take offensive action when and where feasible, and in coordination with military operations of the United Nations elsewhere.

General MacArthur, his subordinate commanders, Mr. Curtin and other Australian Government leaders are scheduled to go into conference on Monday. Selections are believed already made for most of the posts on General MacArthur's staff and the staffs of the other commanders, and announcements of the names is expected on Monday.

It is expected that General MacArthur will have Australian as well as American staff officers and similarly that General Blamey will have American staff officers. General Barnes, who commanded the United States forces in Australia for a short time after their arrival, will have only the service command of the United States forces under the new set up. His command will extend to administrative duties and special units, but General Blamey, as commander of the Allied land forces in the Southwest Pacific, will command the American troops in the field.

General Blamey is a former commander of the Australian forces in the Middle East and was deputy commander in chief there. General Brett was formerly deputy commander in chief to General Sir Archibald P. Wavell when the latter was commander in chief of the Allied forces in the Southwest Pacific with headquarters in Java. Admiral Leary was former commander of the Allied naval forces in what is known as the Anzac area, that is Australia and New Zealand waters.

General Wainwright has commanded the United States forces in the Philippines since General MacArthur's departure.

A good part of the organization of military affairs in the Southwest Pacific area is already done. General MacArthur has been busy since he arrived in Australia with no details of organization and much has been accomplished in anticipation of the formal authorizations that have now arrived. Australia has already completed the reorganization of her forces.

XLIII. DEVELOPMENTS IN MARTINIQUE

(Dept. of State Bulletin, Vol. VI, No. 150, May 9, 1942)

The President has directed a visit by Admiral John H. Hoover, as Commander of the Caribbean Sea Front, accompanied by a representative of the Department of State, to Martinique for the purpose of seeking with the French High Commissioner there an understanding with respect to the local problem presented by the French possessions in the Caribbean area arising out of the collaboration policy of Monsieur Laval.

Admiral Hoover and Mr. Samuel Reber, Assistant Chief of the Division of European Affairs, Department of State, arrived at Martinique the morning of May 9.

Admiral Hoover is authorized to propose an arrangement whereby the French flag may continue to fly over the French Caribbean possessions and French sovereignty there will remain unchanged, and whereby Admiral Robert will continue to be recognized as the ultimate governing authority of French Caribbean possessions.

Should mutually satisfactory arrangements be reached with Admiral Robert as High Commissioner, assuring that the French authorities in the French Caribbean-Atlantic coast area will not furnish aid or comfort to Axis forces, the United States is prepared to safeguard the interests of France in these areas, to maintain their economic life, and to assure that all assets of the French Government in the French Caribbean possessions be held for the ultimate use of the French people.

XLIV. TREATMENT OF CIVILIAN ENEMY ALIENS AND PRISONERS OF WAR

(Dept. of State Bulletin, Vol. VI, No. 152, May 23, 1942)

Upon the outbreak of war in Europe the Government of the United States, actuated by humanitarian motives, expressed the earnest hope to the British, French, and German Governments that they could give thought to avoiding harsh treatment of enemy aliens. It was pointed out that there had grown gradually among civilized states the conviction that there should be no retaliation against prisoners of war for acts of their governments. This

conviction received international sanction in the Prisoners of War Convention which was signed at Geneva in 1929. It was suggested that the same reasoning should apply to civilian enemy aliens unfortunate enough to be caught under enemy jurisdiction and that just as the nations had abandoned the idea that prisoners of war are hostages for the good behavior of the enemy so the same idea in respect to civilians might be held. It was recognized that belligerents might feel it essential to maintain surveillance and some restrictions upon the acts of civilian enemy aliens. These ideas were in general accepted and applied by the three belligerents to whom the American Government addressed its communication.

Upon the entry of the United States into the war the Government of the United States with reference to its declaration to the British, French, and German Governments informed the German, Italian, and Japanese Governments that it intended on its part to apply the principles set forth in its declaration and in line therewith to apply to civilian enemy aliens as liberal a regime as was consistent with the safety of the United States. This Government declared that enemy aliens whom it might be found necessary to intern would be treated at least as favorably as prisoners of war. To that end this Government informed the German, Italian, and Japanese Governments that it intended to apply to civilian enemy aliens taken into custody by it the provisions of the Geneva Prisoners of War Convention, so far as those provisions might be adaptable to civilians, and that it expected the enemy governments to extend like treatment

to American citizens taken into custody by them. The Italian Government replied that it would be glad reciprocally to apply the Geneva Prisoners of War Convention to American civilians interned by it. The Japanese Government replied that it would extend the provisions of the Convention reciprocally to American civilian internees provided that the American Government did not make use of the provisions of the Convention to compel Japanese civilians in its hands to work against their will—to which this Government agreed. The German Government stated that pending the completion of negotiations which were going on between the German and American Governments for the mutual repatriation of each other's nationals, it preferred not to undertake additional international obligations, especially since it hoped that it would be possible to substitute repatriation for internment. This Government replied that, as it had stated at the outbreak of the war, it did not desire to effect general internment of German nationals and preferred that citizens of the other country whose presence in either country appears prejudicial to the national safety should be repatriated. It added that pending the repatriation of German nationals held in custody in the United States the Government of the United States would in accordance with its previous declaration to the German Government apply to them the provisions of the Geneva Prisoners of War Convention and that it had taken note from reports received by it from official neutral sources that the German Government was apparently applying the provisions of this Convention to American civilians held in custody by it.

Upon the declaration of war between the United States and Germany and the United States and Italy, the Geneva Prisoners of War Convention, to which all three countries are parties, was put into effect as regards prisoners of war. Japan, which is not a party to the Prisoners of War Convention, has agreed to apply it reciprocally to American prisoners of war.

The Geneva Prisoners of War Convention lays down in general terms the rights and duties of prisoners of war. The prisoners may be interned in towns, fortresses, or enclosed camps but they may not be imprisoned except as an indispensable measure of safety nor held in unhealthful regions. They must be lodged in buildings or in barracks affording all possible guaranties of hygiene and healthfulness and given generally the same accommodations and food as the depot troops of the holding power. They must receive medical treatment and be given liberty in the exercise of their religion. Sports and intellectual recreational diversions organized by them are to be encouraged by the holding powers. Officer prisoners must receive from the holding power the same pay as officers of corresponding rank in the armies of that power, provided this pay does not exceed that to which they are entitled in their own army. The labor of private soldiers may be utilized by the holding power with payment of wages in accordance with the rates in force for soldiers in the national army doing the same work or, if no such rates exist, according to rates in harmony with the work performed.

The Convention also provides that prisoners of war may be allowed to correspond with friends and relatives and that their correspondence shall enjoy

the postal frank. They may receive parcels containing foods, books, and other items. They may deal with the authorities through men of confidence or agents appointed by them from among themselves. The Convention specifies the procedure to be followed in imposing disciplinary punishments on prisoners of war and in their trial and punishment for crimes. Sick and wounded prisoners are to be repatriated.

The Convention further provides for the establishment of official information bureaus to exchange lists of prisoners among the belligerent powers and for work by relief societies in the prisoner-of-war camps. It also provides that representatives of the protecting powers shall visit camps to insure compliance with the provisions of the Convention and permits the carrying out by the International Red Cross Committee, with the consent of the interested belligerents, of its recognized humanitarian work.

The German, Italian, and Japanese Governments are apparently abiding by their undertakings to apply to prisoners of war the Geneva Prisoners of War Convention and, so far as they are adaptable, to extend the application of the provisions of that Convention to American civilians.

The Japanese have permitted official neutral observers to visit American prisoners of war in Japan and American civilians interned in Japan and in a number of places which were in Japanese hands at the outbreak of the war between the United States and Japan. The Japanese have permitted these official neutral observers in some cases to speak alone with the Americans and in other

cases to speak with them in the presence of Japanese officials. American prisoners of war and civilian internees so interviewed have made no serious complaints of infractions of the Convention. The prisoners are reported to be receiving standard Japanese Army rations. The private soldiers at the camp at Zentsuji are being given employment in agriculture for which they receive pay. Civilians are in part interned under similar conditions in camps, in part under forced residence in their own houses, and in part at large under parole.

The Government of the United States, however, still remains without information from official neutral sources regarding the condition of Americans in the Philippines, in parts of occupied China, in Hong Kong, in Malaya, and in the Netherland East Indies, to which the Japanese Government has not yet admitted official neutral observers. Efforts have been made and are currently being continued to obtain Japanese consent to admit to these places also official neutral observers for the purpose of investigating the condition of American citizens, both interned and not interned.

Americans interned in Germany are accommodated in heated buildings and are reported to receive the rations of German depot troops. They are permitted to receive visits from their relatives and are allowed to exchange mail with friends and relatives and to receive parcels and supplementary food and clothing. They receive good medical attention, and in most cases the aged and sick are reliably reported to have been released. Their general health is stated to be good.

Americans interned in Italy are reliably reported not to be confined in camps but to be under orders to remain in certain towns and districts.

This Government is endeavoring to fulfil its undertakings with regard to the Geneva Conference and at the same time is insisting that the full benefits of the Convention be reciprocally granted by the enemy countries to American citizens in their hands.

XLV. AGREEMENT WITH PANAMA FOR LEASE OF DEFENSE SITES

(Dept. of State Bulletin, Vol. VI, No. 152, May 23, 1942)

The Governments of the Republic of Panama and the United States of America have reached an important agreement covering the use by the armed forces of the United States of numerous defense areas in the Republic of Panama. The agreement, to enter into effect when approved by the National Assembly of Panamá, was signed at Panamá on May 18 by the Ambassador of the United States, Edwin C. Wilson, and the Panamanian Minister of Foreign Affairs, Octavio Fábrega.

At the same time announcement was made of the satisfactory settlement of certain outstanding problems in the relations between the two countries, as embodied in notes exchanged May 18, 1942 between the Secretary of State and the Panamanian Ambassador in Washington, Señor Don Ernesto Jaén Guardia. Among the various points on which agreement has been reached, those of particular significance follow: The withdrawal of the Panama Railroad Company from real-estate opera-

tions in the cities of Panamá and Colón by turning over to Panama certain lots owned by the company in those cities; the delivery to the Government of Panama of the waterworks and sewerage systems lying wholly within territory under the jurisdiction of the Republic of Panama; and the liquidation of Panama's indebtedness arising out of the construction of the strategic Rio Hato-Chorrera Highway. The agreements reached on these three points will be submitted to the Congress of the United States for approval.

Pending the conclusion of the agreement for the use of the defense areas, the Panamanian Government has permitted the military forces of the United States to occupy and develop these areas as gun emplacements, airplane-detector stations, bombing ranges, and auxiliary air fields. The largest of these is the Rio Hato air base, situated some 80 miles to the southwest of the Canal.

Immediately following the attack by the Japanese on Pearl Harbor, Panama declared war on Japan, Germany, and Italy and since that time has taken numerous and effective steps which have demonstrated that republic's willingness to assume promptly and whole-heartedly its responsibility as a partner in the defense of the Panama Canal, in accordance with the provisions of the Treaty of Friendship and Cooperation signed at Washington on March 2, 1936.

This agreement is another significant landmark in the history of the relations between the United States and Panama and constitutes an important contribution to the security of the Canal and the defense of the Hemisphere.

The text of the agreement for the lease of defense sites in the Republic of Panama follows:

"The undersigned, Octavio Fábrega, Minister for Foreign Affairs of the Republic of Panamá, and Edwin C. Wilson, Ambassador of the United States of America, acting on behalf of our respective Governments, for which we are duly and legally authorized, have concluded the following Agreement:

"The Governments of the Republic of Panamá and of the United States of America, conscious of their joint obligation, as expressed in the provisions of the General Treaty of Friendship and Cooperation, concluded March 2, 1936, to take all measures required for the effective protection of the Panama Canal in which they are jointly and vitally interested, have consulted together and have agreed as follows:

"ARTICLE I

"The Republic of Panamá grants to the United States the temporary use for defense purposes of the lands referred to in the Memorandum attached to this Agreement and forming an integral part thereof. These lands shall be evacuated and the use thereof by the United States of America shall terminate one year after the date on which the definitive treaty of peace which brings about the end of the present war shall have entered into effect. If within that period the two Governments believe that, in spite of the cessation of hostilities, a state of international insecurity continues to exist which makes vitally necessary the continuation of the use of any of the said defense bases or areas, the two Governments shall again enter into mutual consultation and shall conclude the new agreement which the circumstances require.

"The national authorities of the Republic of Panamá shall have adequate facilities for access to the defense sites mentioned herein.

"ARTICLE II

"The grant mentioned in the foregoing article shall include the right to use the waters adjacent to the said areas of land and to improve and deepen the entrances thereto

and the anchorage in such places as well as to perform in/on the said areas of land all the works that may be necessary in connection with the effective protection of the Canal. This gives no right to commercial exploitation or utilization of the soil or subsoil, or of adjacent beaches and streams.

“ARTICLE III

“Military and naval aircraft of Panamá shall be authorized to land at and take off from the airports established within the areas referred to in Article I. Similarly, military and naval aircraft of the United States shall be authorized to use military and naval airports established by the Republic of Panamá. The regulations covering such reciprocal use shall be embodied in an agreement to be negotiated by the appropriate authorities of the two countries.

“ARTICLE IV

“The Republic of Panamá retains its sovereignty over the areas of land and water mentioned in the Memorandum referred to in Article I and the air space thereover, as well as complete jurisdiction in civil matters, provided, however, that during the period of temporary occupation contemplated by this Agreement, the Government of the United States shall have complete use of such areas and exclusive jurisdiction in all respects over the civil and military personnel of the United States situated therein, and their families, and shall be empowered, moreover, to exclude such persons as it sees fit without regard to nationality, from these areas, without prejudice to the provisions of the second paragraph of Article I of this Agreement, and to arrest, try and punish all persons who, in such areas, maliciously commit any crime against the safety of the military installations therein; provided, however, that any Panamanian citizen arrested or detained on any charges shall be delivered to the authorities of the Republic of Panamá for trial and punishment.

“ARTICLE V

“The Republic of Panamá and the United States reiterate their understanding of the temporary character of the occu-

pation of the defense sites covered by this Agreement. Consequently, the United States, recognizing the importance of the cooperation given by Panamá in making these temporary defense sites available and also recognizing the burden which the occupation of these sites imposes upon the Republic of Panamá, expressly undertakes the obligation to evacuate the lands to which this contract refers and to terminate completely the use thereof, at the latest within one year after the date on which the definitive treaty of peace which brings about the cessation of the present war, shall have entered into effect. It is understood, as has been expressed in Article I, that if within this period the two Governments believe that in spite of the cessation of hostilities, a state of international insecurity continues to exist which makes vitally necessary the continuation of the use of any of the said defense bases or sites, the two Governments shall again enter into mutual consultation and shall conclude the new Agreement which the circumstances require.

“ARTICLE VI

“All buildings and structures which are erected by the United States in the said areas shall be the property of the United States, and may be removed by it before the expiration of this Agreement. Any other buildings or structures already existing in the areas at the time of occupation shall be available for the use of the United States. There shall be no obligation on the part of the United States herein or the Republic of Panamá to rebuild or repair any destruction or damage inflicted from any cause whatsoever on any of the said buildings or structures owned or used by the United States in the said areas. The United States is not obliged to turn over to Panamá the areas at the expiration of this lease in the condition in which they were at the time of their occupation, nor is the Republic of Panamá obliged to allow any compensation to the United States for the improvements made in the said areas or for the buildings or structures left thereon, all of which shall become the property of the Republic of Panamá upon the termination of the use by the United States of the areas where the structures have been built.

“ARTICLE VII

“The areas of land referred to in Article I, the property of the United States situated therein, and the military and civilian personnel of the United States and families thereof who live in the said areas, shall be exempt from any tax, imposts or other charges of any kind by the Republic of Panamá or its political subdivisions during the term of this Agreement.

“ARTICLE VIII

“The United States shall complete the construction at its own expense of the highways described below, under the conditions and with the materials specified:

“Highway A-3. (Shall extend from Piña on the Atlantic side of the Isthmus to the Canal Zone boundary at the Rio Providencia. It shall be at least ten feet in width and constructed of macadam.)

“Extension of the Trans-Isthmian Highway following the line of the P-8 road. (Specifications shall be the same as for the Trans-Isthmian Highway. The extension shall start at Madrinal, by-passing Madden Dam by a bridge over the Chagres River below the Dam to connect with the P-8 road at Roque and shall extend the P-8 road from Pueblo Nuevo into Panamá City. It is understood that the pavement of the bridge over the Chagres River will be located above the elevation established as the Canal Zone boundary.)

“Upon the completion of these highways the Government of the United States will assume the responsibility for any necessary post construction operations, that is, the performance of work necessary to protect the original construction until such time as the roads become stabilized.

“The Government of Panamá guarantees that the roads under its jurisdiction used periodically or frequently by the armed forces of the United States will be well and properly maintained at all times. The Government of Panamá will ask for the cooperation of the Government of the United States in the performance of repair and maintenance work on the said roads whenever it deems necessary such cooperation in order to fulfill the aforesaid guarantee, such

as for example in the case of emergencies or situations which require prompt action.

"The Government of the United States will bear one third of the total annual maintenance cost of all Panamanian roads used periodically or frequently by the armed forces of the United States, such cost to cover the expense of any wear or damage to roads caused by movements related to defense activities. The amount payable by the United States will be based upon accounts presented annually by the Republic of Panamá giving in detail the total annual expenditures made by it on each highway used periodically or frequently by the armed forces of the United States, and upon accounts similarly presented by the Government of the United States giving in similar detail the expenditures made by that Government in response to requests from the Government of Panamá as set forth above. In the event that the Government of the United States has rendered cooperation in the maintenance of the said roads, the expenses incurred by that Government in so doing will be credited toward the share of the United States in the total maintenance of the roads under the jurisdiction of Panamá.

"In consideration of the above obligations and responsibilities of the United States, the Government of the Republic of Panamá grants the right of transit for the routine movement of the members of the armed forces of the United States, the civilian members of such forces and their families, as well as animals, animal-drawn and motor vehicles employed by the armed forces or by contractors employed by them for construction work or others whose activities are in any way related to the defense program, on roads constructed by the United States in territory under the jurisdiction of the Republic of Panamá and on the other national highways which place the Canal Zone in communication with the defense areas and of the latter with each other. It should be understood that the United States will take at all times the precautions necessary to avoid, if possible, interruptions of transit in the Republic of Panamá.

“ARTICLE IX

“All roads constructed by the United States in the territory under the jurisdiction of the Republic of Panamá shall be under the jurisdiction of Panamá. As to those secondary roads constructed by the United States for the purpose of giving access to any defense site, Panamá grants to the military authorities of the United States the right to restrict or prohibit public travel on such roads within a reasonable distance from such sites if such restriction or prohibition is necessary to the military protection of such sites. It is understood that such restriction or prohibition is without prejudice to the free access of the inhabitants established within the restricted areas to their respective properties. It is also understood that such restriction or prohibition is not to be exercised on any part of any main highway.

“ARTICLE X

“The Government of the United States of America, when constructing the air bases and airports on any of the sites referred to in Article I, shall take into consideration, in addition to the requirements of a technical order for the safety thereof, the regulations on the matter as have been or may be promulgated by the joint Aviation Board.

“The Republic of Panamá shall not permit, without reaching an agreement with the United States, the erection or maintenance of any aerial lines or other obstructions which may constitute a danger for persons flying in the vicinity of the areas intended for air bases or airports. If, in constructing the said air bases and airports, it should be necessary to remove lines of wire already strung because of their constituting an obstacle thereto, the Government of the United States shall pay the costs of the removal and new installation elsewhere which may be occasioned.

“ARTICLE XI

“The Government of the United States agrees to take all appropriate measures to prevent articles imported for con-

sumption within the areas referred to in Article I from passing to any other territory of the rest of the Republic except upon compliance with Panamanian fiscal laws. Whenever it is possible, the provisioning and equipping of the bases and their personnel will be done with products, articles and foodstuffs coming from the Republic of Panamá, provided they are available at reasonable prices.

“ARTICLE XII

“The sites referred to in Article I consist both of lands belonging to the Government of the Republic of Panamá and of privately owned lands.

“In the case of the private lands, which the Government of Panamá shall acquire from the owners and the temporary use of which shall be granted by it to the Government of the United States, it is agreed that the Government of the United States will pay to the Government of Panamá an annual rental of fifty balboas or dollars per hectare for all such lands covered by this Agreement, the Government of Panamá assuming all costs of expropriation as well as indemnities and reimbursements for buildings, cultivations, installations or improvements which may exist within the sites chosen.

“In the case of the public lands the Government of the United States will pay to the Government of Panamá an annual rental of one balboa or dollar for all such lands covered by this Agreement.

“There are expressly excepted the lands situated in the Corregimiento of Rio Hato, designated by No. 12 in the attached Memorandum, it being understood that for this entire tract the United States Government will pay to the Government of Panamá an annual rental of ten thousand balboas or dollars.

“The rentals set out in this Article shall be paid in balboas as defined by the Agreement embodied in the exchange of notes dated March 2, 1936, referred to in Article VII of the Treaty of that date between the United States of America and Panamá, or the equivalent thereof in dollars, and shall be payable from the date on which the use of the lands by

the United States actually began, with the exception of the lands situated in the Corregimiento of Rio Hato designated by No. 12 in the attached Memorandum, rental for which shall commence January 1, 1943.

“ARTICLE XIII

“The provisions of this Agreement may be terminated upon the mutual consent of the signatory parties even prior to the expiration thereof in conformity with Articles I and V above, it being understood also that any of the areas to which this Agreement refers may be evacuated by the United States and the use thereof by the United States terminated prior to that date.

“ARTICLE XIV

“This Agreement will enter into effect when approved by the National Executive Power of Panamá and by the National Assembly of Panamá.”

XLVI. DECLARATIONS OF A STATE OF WAR WITH BULGARIA, HUNGARY, AND RUMANIA

(Dept. of State Bulletin, Vol. VI, No. 154, June 6, 1942)

“JOINT RESOLUTION Declaring that a state of war exists between the Government of Bulgaria and the Government and the people of the United States and making provisions to prosecute the same.

“Whereas the Government of Bulgaria has formally declared war against the Government and the people of the United States of America: Therefore be it

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Government of Bulgaria which has thus been thrust upon the United States is hereby formally declared; and the President is hereby authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Government of Bulgaria; and, to bring the conflict to a success-

ful termination, all of the resources of the country are hereby pledged by the Congress of the United States.

"Approved, June 5, 1942." [Joint resolutions declaring a state of war with Hungary and Rumania, *Mutatis mutandis*, were also approved June 5, 1942.]

XLVII. CONVERSATIONS BETWEEN THE PRESIDENT AND MR. MOLOTOV

(Dept. of State Bulletin, Vol. VI, No. 155, June 13, 1942)

The People's Commissar of Foreign Affairs of the Union of Soviet Socialist Republics, Mr. V. M. Molotov, following the invitation of the President of the United States of America, arrived in Washington on May 29 and was for some time the President's guest. This visit to Washington afforded an opportunity for a friendly exchange of views between the President and his advisers on the one hand and Mr. Molotov and his party on the other. Among those who participated in the conversations were: The Soviet Ambassador to the United States, Mr. Maxim Litvinoff; Mr. Harry Hopkins; the Chief of Staff, General George C. Marshall; and the Commander in Chief of the United States Fleet, Admiral Ernest J. King. Mr. Cordell Hull, Secretary of State, joined in subsequent conversations on non-military matters.

In the course of the conversations full understanding was reached with regard to the urgent tasks of creating a second front in Europe in 1942. In addition, the measures for increasing and speeding up the supplies of planes, tanks, and other kinds of war materials from the United States to the Soviet Union were discussed. Also discussed were the fundamental problems of cooperation of the

Soviet Union and the United States in safeguarding peace and security to the freedom-loving peoples after the war. Both sides state with satisfaction the unity of their views on all these questions.

At the conclusion of the visit the President asked Mr. Molotov to inform Mr. Stalin on his behalf that he feels these conversations have been most useful in establishing a basis for fruitful and closer relations between the two governments in the pursuit of the common objectives of the United Nations.

XLVIII. COMBINED PRODUCTION AND RESOURCES BOARD AND COMBINED FOOD BOARD, UNITED STATES AND GREAT BRITAIN

(Dept. of State Bulletin, Vol. VI, No. 155, June 13, 1942)

The President announced on June 9 on behalf of himself and the Prime Minister of Great Britain the creation of a Combined Production and Resources Board and a Combined Food Board.

The general purpose of the two boards was announced with release of memoranda addressed by the President to Mr. Donald Nelson, who will act as the American representative on the Combined Production and Resources Board, and to the Secretary of Agriculture, Mr. Claude Wickard, who will act as the American representative on the Combined Food Board.

The text of the memorandum to Mr. Nelson follows.

"In order to complete the organization needed for the most effective use of the combined resources of the United States and the United Kingdom for the prosecution of the war, there is hereby established a Combined Production and Resources Board.

"1. The Board shall consist of the Chairman of the War Production Board, representing the United States, and the Minister of Production, representing the United Kingdom.

"2. The Board shall:

"(a) Combine the production programs of the United States and the United Kingdom into a single integrated program, adjusted to the strategic requirements of the war, as indicated to the Board by the Combined Chiefs of Staff, and to all relevant production factors. In this connection, the Board shall take account of the need for maximum utilization of the productive resources available to the United States, the British Commonwealth of Nations, and the United Nations, the need to reduce demands on shipping to a minimum, and the essential needs of the civilian populations.

"(b) In close collaboration with the Combined Chiefs of Staff, assure the continuous adjustment of the combined production program to meet changing military requirements.

"3. To this end, the Combined Chiefs of Staff and the Combined Munitions Assignments Board shall keep the Combined Production and Resources Board currently informed concerning military requirements, and the Combined Production and Resources Board shall keep the Combined Chiefs of Staff and the Combined Munitions Assignments Board currently informed concerning the facts and possibilities of production.

"4. To facilitate continuous operation, the members of the Board shall each appoint a Deputy; and the Board shall form a combined staff. The Board shall arrange for such conferences among United States and United Kingdom personnel as it may from time to time deem necessary or appropriate to study particular production needs; and utilize the Joint War Production Staff in London, the Combined Raw Materials Board, the Joint Aircraft Committee, and other existing combined or national agencies for war production in such manner and to such extent as it shall deem necessary."

The text of the memorandum to Secretary Wickard follows.

"By virtue of the authority vested in me by the Constitution and as President of the United States, and acting jointly and in full accord with the Prime Minister of Great Britain, I hereby authorize, on the part of the Government of the United States, the creation of a joint Great Britain-United States board to be known as the Combined Food Board.

"In order to coordinate further the prosecution of the war effort by obtaining a planned and expeditious utilization of the food resources of the United Nations, there is hereby established a Combined Food Board.

"The Board will be composed of the Secretary of Agriculture and of the Head of the British Food Mission who will represent and act under the instruction of the Minister of Food.

"The duties of the Board shall be:

"To consider, investigate, enquire into, and formulate plans with regard to any question in respect of which the Governments of the U. S. A. and the U. K. have, or may have, a common concern, relating to the supply, production, transportation, disposal, allocation or distribution, in or to any part of the world, of foods, agricultural materials from which foods are derived, and equipment and non-food materials ancillary to the production of such foods and agricultural materials, and to make recommendations to the Governments of the U. S. A. and the U. K. in respect of any such question.

"To work in collaboration with others of the United Nations toward the best utilization of their food resources, and, in collaboration with the interested nation or nations, to formulate plans and recommendations for the development, expansion, purchase, or other effective use of their food resources.

"The Board shall be entitled to receive from any Agency of the Government of the United States and any Depart-

ment of the Government of the United Kingdom, any information available to such Agency or Department relating to any matter with regard to which the Board is competent to make recommendations to those Governments, and in principle, the entire food resources of Great Britain and the United States will be deemed to be in a common pool, about which the fullest information will be interchanged."

XLIX. GERMAN SUBMARINE ZONE OF OPERATIONS

(New York Times, June 14, 1942)

A statement broadcast from Berlin and recorded by the Columbia Broadcasting Company described a submarine "zone of operations" extending to the American coast, indicating a new threat of under-sea warfare.

The German statement said that "Every ship which enters this zone after June 26, 1942 will expose itself to destruction." The Berlin radio acknowledged openly that the announcement was in answer to the Allied threat of a second front, which was ridiculed as "a declaration on paper."

Excerpts from the Nazi broadcast follow:

"As a result of the entry into the war of the United States of America and the development which naval warfare has undergone off the American east coast, the zone of operation in which fighting may be expected has been extended to the American coast.

"Every ship which enters this zone after June 26, 1942, will expose itself to destruction.

"The German Government, therefore, warns all ships against navigating in this danger zone, which has been demarcated as follows:

"From the Belgian coast 3 degrees E, over 52 degrees N., 3 degrees E, and 68 degrees N., 10 degrees W. to the coast

of Greenland along 68 degrees N.; then along the Greenland coast to Cape Farewell and from there to Cape Harrison; thence along the coast to Canada, the United States of America to Key West; from there along 20 degrees N., 60 degrees W., 45 degrees N., 20 degrees W. and 45 degrees N., 5 degrees W. and then to the French coast at 47 degrees 30 minutes N.

"Such an extension of the realm of operations on the part of the German Navy is more than an announcement on paper. That has been proved already beyond a shadow of a doubt by the successes achieved by German submarines in American waters."

L. EXCHANGE OF DIPLOMATIC AND CONSULAR PERSONNEL

(Dept. of State Bulletin, Vol. VII, No. 158, July 4, 1942)

The German Government has withdrawn the previously agreed safe conducts for future voyages of the S. S. *Drottningholm* between New York and Lisbon and has thereby violated the exchange agreement. This Government informed the German Government through the Swiss Government by note "that the German Government, by unilateral action, has violated the agreement entered into between this Government and the German Government for the exchange of their nationals in that it has withdrawn the safe conduct previously given for the several round-trip voyages of the *Drottningholm* between New York and Lisbon. As the assurance of this safe conduct was an essential part of the Exchange Agreement between the two Governments, this Government must consider the agreement as terminated by the act of the German Government."

LI. CONSULTATION WITH FREE FRENCH IN LONDON

(Dept. of State Bulletin, Vol. VII, No. 159, July 11, 1942)

The Government of the United States is subordinating all other questions to the one supreme purpose of achieving military success in the war and carrying it forward to a successful conclusion. The French National Committee has the same objective and is undertaking active military measures for the preservation of French territory for the French people. The Government of the United States recognizes the contribution of General de Gaulle and the work of the French National Committee in keeping alive the spirit of French traditions and institutions and believes that the military aims necessary for an effective prosecution of the war, and hence the realization of our combined aims, are best advanced by lending all *possible military assistance* and support to the French National Committee as a symbol of French resistance in general against the Axis powers. The Government of the United States wholeheartedly agrees with the view of the British Government, which is also known to be the view of the French National Committee, that the destiny and political organization of France must, in the last analysis, be determined by free expression of the French people under conditions giving them freedom to express their desires unswayed by any form of coercion.

In pursuing the common war objective, the Government of the United States will continue to deal with the local Free French officials in their respective territories where they are in effective control.

Realizing the need for coordinating their common efforts the Government of the United States perceives every advantage in centralizing the discussion of those matters relating to the prosecution of the war with the French National Committee in London. An essential part of the policy of the Government of the United States for war collaboration is assistance to the military and naval forces of Free France, which is being extended under the terms of the President's statement of November 11, 1941, that the defense of those French territories under the control of Free French forces is vital to the defense of the United States.

In harmony with the foregoing observations the Government of the United States is prepared to appoint representatives in London for purposes of consultation.

DEPARTMENT OF STATE,
Washington.

LII. FRENCH SHIPS AT ALEXANDRIA, EGYPT

(Dept. of State Bulletin, Vol. VII, No. 160, July 18, 1942)

In his press conference on July 14, Under Secretary of State Welles outlined statements which the United States Government has made to the French Government at Vichy with regard to French warships at Alexandria. He pointed out at the outset that these French warships at Alexandria are understood by the United States Government as being outside the provisions of the Armistice agreement entered into between the French Government at Vichy and Germany. Mr. Welles said that these warships were in Alexandria at the time of the

Armistice signature and were there in accordance with naval understandings between the French Government and its then ally, Great Britain. The Under Secretary said that, on July 3, in view of the situation which existed at that time in North Africa, President Roosevelt made the following proposal to the French Government at Vichy. The President made it clear that he hoped that the French ships at Alexandria could be placed in the protective custody of the United States, to include passage of the French ships through the Suez Canal, thence to a secure and remote part of this hemisphere for the duration of the war, either in a port of the United States or in some neutral port, with a guaranty of the return of these ships to France at the end of the war. The President said, Mr. Welles added, that he felt that this proposal was in the interest of France; he stated further that if this offer on behalf of the United States was not accepted by the French Government, the British, knowing of this offer, would of course be properly and wholly justified in ordering the French ships through the Suez Canal, and, if the order was not obeyed, they would be wholly justified in destroying the ships to prevent them from falling into the hands of the enemy. Mr. Welles said the offer made at that time by the President was rejected by the French Government. On July 9, the Under Secretary continued, the President made a further proposal to the French Government. He proposed that if the French Government agreed that the French naval units now at Alexandria be withdrawn by way of the Suez Canal, the Government of the United States by agreement with the

British Government would grant safe passage to Martinique, where they would not be used by either of the two belligerent Governments, namely, the United States and Great Britain, but where they would be immobilized for the duration of the war on the same basis as other French warships now at Martinique, with the assurance that at the end of the war they would be restored to the French people. The two Governments would further agree, Mr. Welles said, to periodical relief and repatriation of the crews after they had reached Martinique, on the same basis which would have obtained had they remained at Alexandria. The President made this proposal in view of his belief that no matter what military situation might develop in North Africa, these French ships would be in imminent danger because of the possibility of enemy attack, and said specifically that in the opinion of this Government, since these ships have from the beginning occupied a special, and are now in a precarious, situation, they are not within the operative provisions of the Armistice agreement, and hence the arrangement proposed by the President would not violate the said agreement, Mr. Welles added. The Under Secretary said he was sorry to say that that offer of the President has also been refused by the French Government at Vichy, which is insisting that the French ships proceed to a nearby French port. In other words, Mr. Welles said, the French Government at Vichy is refusing the proposal solely on the ground that the French port suggested by the President is not nearby, and apparently not sufficiently close to German and Italian hands. The Under Secretary

said that he felt certain that the French people themselves will regard this offer made by the President as very much in their interest, since it would have assured the safety of the crews of those vessels and would have assured the French people themselves that at the end of the war these French naval vessels would have been returned to them.

LIII. STATUS OF AUSTRIA

(Dept. of State Bulletin, Vol. VII, No. 162, Aug. 1, 1942)

At the Secretary's press conference on July 27 a correspondent stated that there appeared to be some confusion with respect to the view of this country as to the present status of Austria and asked for clarification on this point. The Secretary replied:

"It is probable that such confusion, if it exists, has arisen from administrative steps which may have been taken by this Government in pursuance of its own laws designed to afford adequate protection to this country's interests in dealing with the situation presented by the imposition of military control over Austria and residents of Austria by Germany. This Government very clearly made known its opinions as to the manner in which the seizure of Austria took place and the relation of that seizure to this Government's well-known policy toward the taking of territory by force. This Government has never taken the position that Austria was legally absorbed into the German Reich."

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